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NATIONAL ARCHIVES MICROFILM PUBLICATIONS

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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 20

October 8, 1894 - May 25, 1896

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NOTES ON ROLL 20

The two volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / 1894. / Supreme Court / of the / United States" and (2) "Minutes / 1895. / Supreme Court / of the / United States." They contain the minutes of the Supreme Court of the United States from October 8, 1894, to May 25, 1896.

The first volume contains the minutes of the Court from October 8, 1894, to June 3, 1895, and the second, from October 14, 1895, to May 25, 1896.

At the Capitol of the United States in the City of Washington and District of Columbia being the present seat of the National Government of the United States, on the second Monday of October (being the eighth day of the same month) in the year of our Lord one thousand eight hundred and ninety four, and of the Independence of the United States the one hundred and nineteenth, the Supreme Court of the United States met agreeably to law.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Howell E. Jackson
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chief Justice said:

As the gentlemen of the bar are aware, it has been the custom of the Court to adjourn on the first day of the term in order to enable its members to pay their respects

to the President of the United States in a body; but, as the President is absent, we will dispose of such business as may be properly brought before us before taking the usual adjournment.

On motion first made to the Court in this behalf by Mr. Arthur S. Browne it is ordered that Franx L. Fish, Esquire, of Vergennes, and William A. Bliss, Esquire, of Burlington, State of Vermont, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that C. C. Wright, Esquire, of Modesto, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. Dodge it is ordered that Samuel A. Putman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. A. Lehmann it is ordered that William M. Eccles, Esquire, of St. Louis, State of Missouri,

Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Lamar it is ordered that Thomas G. Hayes, William S. Bryan, Jr., and Frank Gosnell, Esquires, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Frederick E. Chapin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. J. Johnston it is ordered that Charles E. Wilson, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that George R. Simpson and George L. Morton, Esquires, of Washington, District of Columbia, and William Quinby, Esquire, of Boston, State of Massa-

and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Robert Thorne, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

*

The Northern Pacific Railroad Company, Plff in Error, vs. Henry Bush. } In Error to the Circuit Court of the United States for the Northern District of Illinois.

98.

This cause having been called to the attention of the Court by Mr. A.H. Garland, of Counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

* The Northern Pacific R.R. Co., Plff in Error, vs. Henry Bush. } On motion of Mr. A.H. Garland, of Counsel for the plaintiff in error, It is ordered by the

98.

Court that the submission of this cause be, and

630. Mrs. Lilian W. Egan and husband, vs. A. Hart et al. Pltffs in Error,

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. A. H. Leonard, in support of the same, and Mr. C. J. Boatner, in opposition thereto.

3. The Pittsburgh & Southern Coal Co., vs. John W. Bates, Sheriff &c. Pltff in Error,

And

10. The Pittsburg & Southern Coal Co., vs. The State of Louisiana for use of The Charity Hospital of New Orleans. Pltff in Error,

On motion of Mr. Frederic D. McKenney, in behalf of counsel, It is ordered by the Court that these cases be, and they are hereby, passed subject to the provisions of section 9 of Rule 9.

5. William W. Dunham, Admr of George A. Hillon, dec'd, et al., vs. James E. Jones et al. Appellants,

Mr. W. Hallett Phillips, in behalf of counsel for the appellants, suggested the death of James E. Jones, one of the appellees in this cause, and moved the Court for an order under the 15th rule, to make the proper representatives

parties; Whereupon It is nowhere ordered by the Court that unless the proper representatives of the said James E. Jones, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record, and, on hearing, have the decree reversed, if it be erroneous; Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the State of Nebraska for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Wm. H. Dunham, Admr, et al., vs. Appellants,
5. James E. Jones et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Charles Collins Buck et al., vs. Plffs in Error,
135. The State of Louisiana.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and a printed argument by Mr. H. Hallett Phillips, Mr. M. J. Cunningham and Mr. A. J. Leovy, in support of the same, and leave was granted Mr. Duane E. Fox to submit a printed argument in opposition thereto within one week.

701. The Central Railroad Co. of New Jersey, vs. Peffin Exor. & Leonard Morgan — Mr. A. L. Hinckley of Counsel for the defendant in error, submitted to the decision of the Court a motion to advance this cause.

615. George Taylor, vs. The Girard Life Insurance, Annuity & Trust Co. of Philadelphia, Appellant. — Death of George Taylor, the appellant herein, having been suggested at the last term and an order of publication granted and issued, now, on motion of Mr. R. Ross Perry, of Counsel, It is ordered by the Court that Eleanor Taylor, Administratrix of the said George Taylor, deceased, be and she is hereby made the party appellant in this cause.

35. The Southern Pacific Railroad Company, vs. The United States, Appellant. — Appeal from the Circuit Court of the United States for the Northern District of California.

This cause having been called to the attention of the Court by Mr. J. Hubley Ashton, of Counsel for the appellant, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with

163 Count Joseph Telfener, Plff in Error, vs. George H. Russ. The petition for a writ of error to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the Consideration of the Court on printed arguments by Mr. J. L. Tiller, in support of the same, and Mr. S. R. Peaken, in opposition thereto.

6. The Worcester, Nashua & Rochester Railroad Company, Plff in Error, vs. The John Hancock Mutual Life Insurance Company. In Error to the Supreme Court of the State of Massachusetts.

Happening to the Court that a stipulation to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

18. The Worcester, Nashua & Rochester Railroad Co., Plff in Error vs. Robert L. Doty et al. In Error to the Superior Court of the State of New Hampshire.

It appearing to the Court that a stipulation to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed.

Per Mr. Chief Justice Waite

73. The Worcester, Nashua & Rochester Railroad Co., Plff in Error, vs. The India Mutual Insurance Company. In Error to the Superior Court of the State of New Hampshire.

It appearing to the Court that a stipulation to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

Per Mr Chief-Justice Waite

711. The Worcester, Nashua & Rochester Railroad Co., vs. Effie Sears. A. A. Lovell

In Error to the Supreme Court of the State of Massachusetts.

Happening to the Court that a stipulation to dismiss this cause has been filed Therefore, in pursuance of said stipulation, It is Now Here ordered and adjudged by this Court that the writ of error in this cause be, and the same, is hereby dismissed.

Per Mr. Chief Justice Fuller.

1168. The Worcester, Nashua & Rochester Railroad Co. vs. The Peoples Savings Bank.

In Error to the Supreme Court of the State of Massachusetts.

Happening to the Court that a stipulation to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

249. Margaret H. Allis et al., Executors &c., Plffs in Error, vs. The State Bank of Cecil, Nebraska, et al.

In Error to the Circuit Court of the United States for the District of Nebraska

It appearing to the Court that a stipulation to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

257. George Hayes, Appellant, vs. Valentine Fischer,

Appeal from the Circuit Court of the United States for the Northern District of New York

It appearing to the Court that a stipulation to dismiss this cause has been filed, therefore in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

254. Arthur Kirk, Appellant, vs. John S. Dickson,

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania

It appearing to the Court that an authority

counsel for the appellant hadmissies this cause has been filed. Therefore in pursuance of said authority. It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller

John D. Mayfield et al. vs. Jeffersonian Dem. of Texas. A stipulation of Counsel for the respective parties to reverse the judgment of the Circuit Court herein was submitted to the Consideration of the Court.

The Chief Justice announced that the Court would commence the call of the docket to-morrow, pursuant to the 30th Rule.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, October 9th, 1894.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Howell E. Jackson
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that George M. Shipman, Esquire, of Belvidere, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Parsons it is ordered that Watson Washburn Hoppin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday, October 9th, 1894. Continued to

On motion leave made to the Court in this behalf, by Mr. L. C. Michener it is Ordered that Rinaldo N. Briggs Esquire, of Duluth, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

John D. Mayfield et al, In Error to the Circuit
Plffs in Error Court of the United States
vs. for the Northern District
W. F. Mallet of Texas.

It appearing to the Court that a stipulation to reverse the judgment of the Circuit Court in this cause has been filed therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, at the costs of the plaintiffs in error and that this cause be, and the same is, hereby, remanded to the said Circuit Court to be proceeded in according to law.

Per Mr. Chief Justice Fuller.

J. H. Todd et al,
vs. Appeal from
The United States.

It is ordered by the Court that the motion of Counsel for the defendant in error to docket and dismiss this cause be, and the same is hereby, denied, and leave is hereby granted the plaintiffs in error to file the record and docket the cause.

Per Mr. Chief Justice Fuller.

Tuesday, October 9th. 1894. Continued

584. Amado Chaves et al., Appellants, vs. The United States et al. And The Pueblos of Zia Santa Ana and Jemez, Appellants, vs. The United States et al. 585.

On motion of Mr. Solicitor General Maxwell, It is ordered by the Court that these cases be, and they are hereby, continued until the next term.

The Texas & Pacific Ry Co. Appellant, vs. The Interstate Commerce Commission. 686

On motion of Mr. Solicitor General, Maxwell, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for re-argument on Monday November 5th next.

740. Willie Johnson vs. Effie in Error, vs. The United States
741. Francis A. Coffin et al. Effie in Error, vs. The United States
742. Wm A. Moses et al, Effs in Error, vs. The United States
765. Thomas Westmoreland, Eff in Error, vs. The United States,
766. Lephus Wright et al, Effs in Error vs. The United States

Mr. Solicitor General Maxwell, of Counsel for the defendant in error, submitted to the consideration of the Court motions to advance these cases.

The Bate Refrigerating Co., Appellant, vs. Ferdinand Sulzberger et al. 687

On motion of Mr. B. F. Lee, leave is hereby granted,

ed briefs herein on behalf of the Memorial Refrigerator Company.

The United States, Appellant
v.
Earl B. Coe,

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. M. Sanford in support of the same, and Mr. Solicitor General Maxwell, in opposition thereto.

The United States, Complainant
v. Original.
The State of Texas,

Mr. Edgar Allen, of counsel for the complainant, submitted to the consideration of the Court a motion to fix a day for the argument of this cause.

639. The United States, Appellant
v.
The Trans-Missouri Freight Association et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne, Mr. A. G. Britton, Mr. George R. Peck and Mr. [illegible] in support of the same, and Mr. Solicitor General Maxwell, in opposition thereto.

The United States, Appellant
v.
The Trans-Missouri Freight

On motion of Mr. A. B. Browne, of counsel for the appellees, it is ordered

by the Court that this cause be, and the same is, hereby re-assigned for argument on the first Monday of December next.

8. The Southern Pacific R.R. Co. in New Mexico vs. Riffin Bacon Perfecto Esquibel. On motion of Mr. McHenry Johnson, in behalf of counsel for appellee, It is ordered by the Court that this cause be, and the same is hereby continued until the next term.

14. William J. Connell et al. vs. John A. Wesley et al. Appellants, Ordered by the Court that this cause be passed subject to the provisions of section

9, Rule 16.

1. William Wright Appt. vs. David G. Guenzling Jr.
2. William Wright, Appt. vs. Johnston Bloomfield

These cases were argued by Mr. Andrew M. Todd, of counsel for the appellant, and Mr. B. F. Lee, of counsel for the appellee.

4. John J. Schillinger et al. vs. The United States Appellants, The argument of this cause was commenced by Mr. John C. Fay of Counsel for the appellants, and continued by Mr. Assistant Attorney General Conrad, of counsel for the appellee. Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Howell E. Jackson,
Edward D. White,

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion filed made to the Court in his behalf, by Mr. J. J. Darlington, it is ordered that Henry M. Olin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he thereupon accordingly did.

No. 165. The United States, Appellant, vs. E. C. Knight Co. et al.

On motion of Mr. John E. Parsons of counsel for the appellees, it is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday, the 22d instant.

92.	Edward Byrne, vs. The United States. Appellant	On motion of Mr. H. J. Mosbey, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, passed on account of sickness of counsel, subject to the provisions of Section 6 of Rule 20.
193.	The Pacific Coast Steamship Co., vs. The United States. Appellant	On motion of Mr. Assistant Attorney General Conrad, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of Section 6 of Rule 20.
92.	The Washburn & Moen Manufacturing Co., vs. The Freeman Wire Co. Appellant,	Ordered by the Court that this cause be, and the same is hereby, passed for want of
23	George D. Haven, vs. Archibald Borden. Plaintiff in Error,	In Error to the Circuit Court of the United States for the Northern District of California.

This cause having been called for hearing in its regular order and it appearing to the Court, that this is the second term at which the case has been called for argument, and that

same, it is considered by the Court that this cause should be dismissed at the costs of the plaintiff in error, pursuant to the 16th rule of this Court. Whereupon, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney.

11. John J. Schillinger et al., Appellants vs. The United States. The argument of this cause was continued by Mr. Assistant Attorney General Conrad, of counsel for the appellee, and concluded by Mr. William L. Johnson, of counsel for the appellant.

7. A. B. Hooper, Plaintiff in Error vs. The People of the State of California. This cause was argued by Mr. John E. Parsons, of counsel for the plaintiff in error, and Mr. A. B. Browne, of counsel for the defendants in error.

Judson L. Thomson and John Hunter, partners under the firm name and style of Judson L. Thomson & Company, Appellants, vs. The Smith & Griggs Manufacturing Company & Edward S. Smith. Appeal from the Circuit Court of the United States for the District of Connecticut.

regular order and it appearing to the Court that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the appellants, pursuant to the 19th rule of this Court. Whereupon it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Arthur Orgel, Plff in Error,
vs.
Edward L. Hobbs, Collector, Deft in Error.

The argument of this cause was commenced by Mr. E. B. Smith, of counsel for the plaintiff in error, and concluded by Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Howell E. Jackson
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that Denis A. Spelissy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was severally according ly.

Samuel Lazarus,
105. vs. Pff in Error,
William Walter Phelps

Mr. Leigh Robinson, of counsel for the defendant in error, suggested the death of William Walter Phelps, the defendant in error herein, and moved the Court to name John J. Phelps, William E. Bond and Thomas A. White Jr., Executors of

entirety. Whereupon it is now here ordered by the Court that the said John J. Phelps, William E. Bond and Thomas N. White, Jr. Executors of William Walter Phelps, deceased, be, and they are hereby made the parties defendants in error in this cause.

24. William Talbert, Appellant, vs. The United States
25. The United States, Appellant vs. William Talbert

The death of William Talbert having been heretofore suggested now on motion of Mr. S. S. Hinkle, of counsel, It is ordered by the Court that Richard P. Talbert, Administrator of William Talbert, deceased be and he is hereby made the party appellant in No 24, and appellee in No 25.

29. The New Orleans City and Lake Railroad Co., Plff in Error, vs. The State of Louisiana, ex rel. The City of New Orleans

And

The City of New Orleans, Appellant, vs. 33. The Louisville & Nashville Railroad Co et al

On motion of Mr. E. B. Whitney, in behalf of counsel, It is ordered by the Court that these cases be passed, subject to the provisions of section 9 of Rule 20.

30.	The Missouri Pacific Railway Company vs. The State of Nebraska ex rel. The Board of Transportation of the State of Nebraska.	Appeal from the Circuit Court of the United States for the District of Nebraska.

Ordered by the Court that this cause be dismissed per stipulation of counsel, subject to the provisions of Section 9 of Rule 16.

30	The Cleveland Fence Co. vs. The Indiana Page Fence Co.	Appeal from the Circuit Court of the United States for the District of Indiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore in pursuance of the rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

254.	The American Preserver Company vs. Edmund A. Morris et al.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is

Hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

256. H. Julian Allen et al, Appellants vs. L. Lewis Maxwell et al. Appeal from the Circuit Court of the United States for the Northern District of New York.

Happearing to the Court that a motion by counsel for appellants to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is, Hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

19. Arthur Briget vs. Edward L. Hedden, Collector &c. Reargument of this cause was continued by Mr. Assistant Attorney General Whitney, of counsel for the defendant in error and concluded by Mr. E. B. Smith, of Counsel for the plaintiff in error.

16. Thomas C. Chappell, vs. Plff in Error, James M. Waterworth. Reargument of this cause was commenced by Mr. H. Cabell Bruce, of Counsel for the plaintiff in error, continued by Mr. Solicitor General Maxwell of Counsel for the defendant in error, and concluded by Mr. Thomas C. Chappell in person.

The Washington & Idaho R.R. Co.,
vs. Appellant
No. The Coeur d'Alene Railway & Navigation Co. et al.

Ordered by the Court that these cases be continued as heretofore proceed.

The Washington & Idaho R.R. Co.,
vs. Appellant
21. (J. W. Hin Osborn.)

Richard P. Tilbert, Admr &c.,
vs. Appellant,
24. The United States.

The argument of these cases was commenced by Mr. J. S. Hendle, of Counsel for Tilbert Administrator.

The United States,
vs. Appellant
25. (Richard P. Tilbert, Admr &c.)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 12th, 1894

Pursuant to adjournment the Court met this day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson
Edward D. White

Associate Justices.

John M. Wright, Esquire, Marshal,
James A. McKenney, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in the behalf of by Mr. Holmes Conrad it is ordered that H. C. Hart, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

22. The Washburn & Moen Manufacturing Company, Appellant, v. The Freeman Wire Company. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause having been called to the attention of the Court by Mr. John R. Bennett, of counsel for

Monday, October 15th, 1894. Adjourned.

the appellant and he having moved the Court to dismiss this cause, Therefore, in pursuance of, said motion. It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Board of County Commissioners of the County of Kingman, Kansas
vs.
Cornell University.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed argument by Mr. George Gray, in support of the same, and Mr. H. N. Rossington and Mr. Charles Blood Smith, in opposition thereto.

No. 42

Roland H. Smith et al.,
vs.
The Pittsburgh Gas Co.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Henry C. McCarty et al.
113. vs. Appellants,
The Lehigh Valley R. R. Co.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Richard P. Tilbert, Adm'r &c.,
114. vs. Appellant,
The United States.
And
The United States,
115. vs. Appellant,
Richard P. Tilbert, Adm'r &c.

Re-argument of these causes was continued by Mr. S. S. Henkle, of counsel for Tilbert, Adm'r. The Court declined to hear further argument.

Thomas D. Olin et al,
36. vs. Appellants,
Henry Tinsley

Re-argument of this cause was commenced by Mr. George J. Murray, of counsel for the appellants, and continued by Mr. William M. Seeley, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 15th, 1894.

Pursuant to adjournment the Court met
this day at the Capitol.

Present,
The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson
Edward D. White
Associate Justices
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by
Mr. A. R. Gaylord it is ordered that Marshall P.
Spooner, Esquire, of Minneapolis, State of Minnesota
be admitted to practice as an attorney and counsellor
of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by
Mr. R. Ross Perry it is ordered that Ludovic Bennett,
Esquire, of Brooklyn, State of New York, be admitted
to practice as an attorney and counsellor of this
Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Aiken, State of South Carolina be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

James Hampden Robb and Charles E. Strong, Trustees,
38. vs. Appellants,
August Vos.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Shiras.

Mr. Justice Jackson and Mr. Justice White not having heard the argument took no part in the decision.

Mrs. Lillian M. Egan and Husband,
630. vs. Appeals in Error.
A. Hart et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be postponed to the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

701 The Central Railroad Co. of New Jersey, Plff in Error, v. Bernard Kingsley. On consideration of the motion for advance of this cause, it is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause advanced as under the 33d rule, to be submitted on printed briefs.

Per Mr Chief Justice Fuller.

713 Count Joseph Telfener, v. George W. Neis. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr Chief Justice Fuller.

639 The United States, Appellant, v. The Trans-Missouri Freight Association et al. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be postponed to the hearing of the cause on the merits.

Per Mr Chief Justice Fuller.

Monday, October 18th, 1897. Adjourned to

No. Willie Johnson alias Willie Overton, Plff in Error, vs. The United States
No. Patrick A. Coffin et al, Plff in Error, vs. The United States
No. Wm. K. Moses et al, Plff in Error vs. The United States
No. Thomas Westmoreland, Plff in Error vs. The United States
No. Asylus Wright et al, Plff in Error vs. The United States

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the causes assigned for argument on the first Monday of December next, after the causes heretofore assigned for that day.

Mr. Chief Justice Fuller

Richard T. Talbert, Administrator of William Talbert, deceased,
No. 24. vs. Appellant,
The United States.

Appeals from the Court of Claims.

The United States,
No. 25. vs. Appellant,
Richard T. Talbert, Administrator of William Talbert, deceased

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Mr. Chief Justice Fuller

The United States, Original. vs. Complainant
The State of Texas.

On motion of Mr. Edgar Allan, of counsel for the complainant, and consent of counsel for the defendant, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on the 3d Monday of December next.

Thomas H. Hoop et al., Executors, et al., Appellants,
vs. 59
Andrew J. Riker.
Andrew J. Riker, Appellant
vs. 63.
Thomas H. Hoop et al., Executors, et al.

The estate of Allan Campbell, one of the appellants in No. 59 and appellees in No. 63, having been heretofore completed, now, on motion of Mr. Robert Christy, in behalf of counsel, It is ordered by the Court that John Campbell and Archibald Campbell, Executors of Allan Campbell, deceased, be, and they are hereby, made parties, in these cases.

Eleanor Taylor, Administratrix of George Taylor, dec'd, Appellant,
vs. 615.
The Girard Life Insurance, Annuity & Trust Co. of Philadelphia

On motion of Mr. R. Ross Perry, of counsel for the appellant, It is ordered by the Court that Frederick H. Taylor, Mary Imlay Taylor and Isabel

Monday October 15th, 1894. Continued.

be, and they are hereby, made parties appellants hereto, and two weeks given them in which to make additional Printing.

673. P. R. Osborne, vs. Riffin Emer & The State of Nevada. On motion of Mr. H. F. Lamar, on behalf of Counsel Stipulated, by the Court that this cause be, and the same is hereby, reassigned for argument on the 29th instant.

674. The Oceanic Steam Navigation Co., Claimants &c., vs. Appellants, Grace Howard Bates et al. The petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Millard Parker Butler, in support of the same, and Mr. Everett P. Wheeler in opposition thereto.

675. John D. Beardsley, vs. Appellant, The Arkansas & Louisiana Railway Company. On motion of Mr. John J. Joyce, of Counsel for the appellee, It is ordered by the Court that the appellant herein give a new bond on this appeal on or before the first Monday of November next, or in default thereof that the judgment herein be vacated

The State of California, Complainant
Original. vs.
Southern Pacific Company.

Mr. A. B. Matthews, of Counsel for the Complainant submitted to the Consideration of the Court a motion to fix a day for the argument of this cause.

John A. Wright, Plff in Error
1930 vs. In Error to the Supreme Court of the State of
William Rollins. California.

This cause having been called to the attention of the Court by Mr. Calderon Carlisle, of Counsel for the plaintiff in error, and a stipulation to dismiss this cause having been filed, Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

Per Mr. Chief Justice Waite.

James Connors, Plff in Error
512 vs.
The United States.

On motion of Mr. M. B. Gerry, of Counsel for the plaintiff in error, It is ordered by the Court that this cause be reassigned for argument on the first Monday of December next after the cases heretofore assigned for that day.

Ex parte In the matter of
Martha Grove Wife Petitioner.

Mr. George A. King, of Counsel for the petitioner submitted

to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Mrs. A. F. Lippenly et al. vs. John O. Smith et al. — Appellants — 688.

The motions to dismiss or affirm in this cause were submitted, to the consideration of the Court on the record and printed arguments by Mr. C. H. Armes, in support of the same, and Mr. John W. Judd, in opposition thereto.

Daniel Benton alias William Newby vs. The United States — Error to Supreme Court — 698.

On motion of Mr. Carroll C. Boggs, in behalf of counsel for the plaintiff, in error, It is ordered by the Court that this cause be re-assigned for argument on the second Monday of December next.

Victor Meyer et al., vs. Walter D. Richards — Appeal from Supreme Court — 208.

Ordered by the Court that this cause be re-assigned for argument on the 9th inst., by consent of counsel.

Thomas D. Clin et al., vs. Appellants, — 36.

The argument of this cause was

William M. Seeles, of counsel for the appellee, and concluded by Mr. George J. Murray, of counsel for the appellants.

343. William Prege, v. The Board of Directors of the Modesto Irrigation District.

The argument of this cause was commenced by Mr. Thomas B. Bond, of counsel for the plaintiff in error, and continued by Mr. C. C. Wright, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock M.

Tuesday, October 8th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Howell E. Jackson,
Edward D. White,
Associate Justices.

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Offield it is ordered that Henry Calver, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

393. William Treyea, Plaintiff in Error,
vs.
The Board of Directors of the Modesto Irrigation District.

The argument of this cause was continued by Mr. C. C. Wright, of counsel for the defendant in error, and concluded by Mr. Thomas

No. 97

The Singer Manufacturing Co., Appellant,
vs.
The June Manufacturing Co.
and
The Singer Manufacturing Co., Appellant
vs.
George P. Bent.

The argument of these cases was commenced by Mr. Lawrence Maxwell, Jr., of counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday October 7th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras, Jr.,
Howell E. Jackson,
Edward D. White,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry E. Davis it is ordered that Edward J. Elliott, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. H. W. Lovelace it is ordered that Charles G. VanFleet, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

Arthur Briggs
14. v. Plff in Error.
Edward L. Hedden, Deft

M. Solicitor General, Maxwell, suggested the death of Edward L. Hedden, the defendant in error herein, and moved the Court to make Elizabeth C. Hedden, Executrix of the said Edward L. Hedden, the party defendant in error. Whereupon it was ordered by the Court that Elizabeth C. Hedden, Executrix of Edward L. Hedden, deceased, be, and she is hereby, made the party defendant in error in this cause.

Thomas M. Richardson,
323. v. Appellant
Clements Brick Co.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by M. C. A. Dolph, in support of the same, and M. L. L. McArthur, in opposition thereto.

Charles Edward Lewis
550. v. Appellant,
Pierce County, Washington

This cause was submitted to the consideration of the Court, under the 30th rule, on the record and printed arguments by M. S. H. Barnes and M. W. H. Pickering, of Counsel for the appellant, and M. Charles Weston Wright, of Counsel for the appellee.

26. The Singer Manufacturing Co. vs. Appellant. The June Manufacturing Co. and The Singer Manufacturing Co. vs. Appellant. George P. Ellis

27.

The argument of these cases was continued by Mr. C. K. Offield, of counsel for the appellant Mr. John L Elliott and Mr. Hallam Henry Browne, of counsel for the appellants in No. 26 and Mr. Wallace Herman of counsel for the appellee in No. 27 and concluded by Mr. Lawrence Maxwell Jr. of counsel for the appellant.

602. The People of the State of New York. vs. Appellants. John G. Fox

This cause was argued by Mr. John D. Lindsay of counsel for the appellants and submitted on ex parte printed argument by Mr. George Bliss of counsel for the appellants

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, October 10th, 1894.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Howell E. Jackson
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Esq. Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. William Lochren it is ordered that James H. Kellogg Esquire of Minneapolis State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

637. Thomas Thompson vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland, of Counsel for the Plaintiff, and Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error.

670. The United States and The Cherokee Nation, vs. Appellants, Charles Journeycake, Principal Chief of the Shawnee Indians

This cause was argued by Mr. A. McGowan, of counsel for the appellee, and submitted on printed arguments by Mr. Assistant Attorney General Dodge, of counsel for The United States, Mr. C. A. Maxwell and Mr. George A. Chase, of counsel for The Cherokee Nation, and Mr Thomas C. Fletcher of counsel for the appellee

671. The United States and The Cherokee Nation vs. Appellants, Johnson Blackfeather Principal Chief of the Shawnee Indians

Ordered by the Court that this cause be, and the same is hereby, reassigned for argument after Monday

671. The United States and, The Cherokee Nation, vs. Appellants, Johnson Blackfeather, Principal Chief of the Shawnee Indians

This cause was argued by Mr. Charles Maxwell, of counsel for the appellee and submitted on printed arguments by Mr Assistant Attorney General Dodge, of counsel for The United States and Mr. C. A. Maxwell and Mr. George A. Chase, of counsel for The Cherokee Nation and have granted Counsel for appellants to

Monday October 10th 1870 Continued

6118. The United States, Appellant
vs.
The Union Pacific Railway Company et al

On motion of Mr John F. Dillon of counsel for the appellee. Ordered, by the Court that counsel for the appellees be allowed one hour additional time for the argument of this cause

6118 The United States, Appellant
vs.
The Union Pacific Railway Company et al.

The argument of this cause was commenced by Mr. Solicitor General Maxwell of counsel for the appellant and continued by Mr Rush Sargent of counsel for the appellee

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras, Jr.
Howell E. Jackson
Edward D. White

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court proceeded

The United States,
Appellant
vs.
The Union Pacific Railway Company et al.
648.

Reargument of this cause was continued by Mr. Rush Taggart and Mr. John F. Dillon, of counsel for the appellees, and concluded by Mr. Solicitor General Maxwell, of counsel for the appellant.

The Pittsburgh, Cincinnati & St. Louis Railway Co. et al.,
vs.
The Keokuk & Hamilton Bridge Co.
633. Appellants,

The argument of this cause was commenced by Mr. George Hoadly, of counsel for the appellants.

Proclamation being made the Court adjourned until

Monday October 2nd, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Howell E. Jackson,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that Charles O. Brewster, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Dodge it is ordered that Robert H. Eberhard and Thomas J. Rowe, Esquires, of St. Louis State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf

Monday, October 22d, 1860. Continued.

by Mr. Heber J. May it is ordered that John K. Shields, Esquire of Morristown, State of Tennessee, be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. J. J. Darlington it is ordered that Hugh Alexander, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1. William Wright, Appellant, v. David S. Swengley Jr. — Appeal from the Circuit Court of the United States for the South District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Nelson

2. William Wright, Appellant, v. Johnston Boggs — Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

735. Charles Collins Buck and The Kuyamel v. Tropical Fruit Company, Plff in Error, The State of Louisiana. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr Chief Justice Fuller.

736. The Board of County Commissioners of the County of Kingman, Kansas, v. Cornell University, Plff in Error. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of Certio-

herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had as well in support of, as against the same, It is therefore ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

791. The Oceanic Steam Navigation Company, Claimant, Appellant, vs. Grace Howard Potter, Libellant, Appellee. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

7, Original. The State of California, Complainant, vs. Southern Pacific Company, Defendant. On consideration of the motion to assign a day for the argument of this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause set down for argument on the third Monday of December next after the

Ex parte: In the Matter of Martha Groves and Hilliard J. Groves, Petitioners

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Thomas M. Richardson et al. vs. Appellants, Marinda Green and Nancy Smith, et al.

No. 873. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr Chief Justice Fuller.

The Pittsburgh, Cincinnati Chicago & St. Louis Railway Co., vs. Riffin Error, Victor M. Barker Executor, et al

No. 1570 Sept. Oct. 1894

The Indianapolis & Vincennes R. R. Co., vs. Riffin Error, Victor M. Barker, Executor, et al.

No. 1571 Sept. Oct. 1894

On consideration of the petitions for rehearing in these cases, It is now here ordered by the Court

Monday, October 23, 1893.

The Cleveland, Cincinnati, Chicago & St. Louis Railway Co., } That said petition may be granted
908 of Oct. T. 1893. vs. } Writ of Error, } and they are hereby
Victor M. Rose, Treasurer. } by Counsel
Per Mr. Chief Justice Fuller

Henry F. Batchelor, } Mr. Assistant Attorney
775. vs. } General Whitney sub-
The United States } mitted to the consideration
of the Court a mo-
tion to advance [illegible]

The Northern Pacific Rail- } Mr. N. H. Garland, of
road Company, } Counsel for the plain-
875. vs. } Writ of Error, } tiff in error, moved
Clara Mase, Administra- } the Court to sub-
trix &c. } stitute Thomas F.
Oakes, Henry C.
Payne and Henry C. Rouse, Receivers of the
Northern Pacific Railroad Company, as
parties plaintiffs in error in this cause.
Whereupon, It is now here ordered by the
Court that the said Thomas F. Oakes, Henry
C. Payne and Henry C. Rouse, Receivers of the
Northern Pacific Railroad Company, be, and
they are hereby, substituted as the parties
plaintiffs in error in this cause.

623 The Pittsburgh, Cincinnati & St. Louis Railway Co., et al., vs. Appellants
Mc Keesport & Hamilton Bridge Co.

The argument of this cause was continued by Mr. George Hoadly, of counsel for the appellants, and Mr. Lyman Trumbull and Mr. Edwin Walker, of counsel for the appellee, and concluded by Mr. George Hoadly, of counsel for the appellants.

614 Emil J. Pepke, vs. Appellant
Joseph E. Cronan, ass't Sheriff &c.
the appellee

This cause was argued by Mr. Marshall A. Spooner, of counsel for the appellant, and Mr. H. N. Standish, of counsel for

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, October 23d, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. D. Brainard it is ordered, that William R. Andrews, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

661. Horace G. Allis, Plaintiff in Error, vs. The United States.

The argument of this cause was commenced by Mr. John R. Dos Passos, of counsel for the plaintiff in error, continued by Mr. Assistant Attorney General Conrad, of counsel for the defendant in error, and concluded by Mr.

501. In the matter of the application of Charles A. Parker & Co. This cause was argued by Mr. J. B. Smith, of counsel for Parker & Co., and submitted on a printed argument by Mr. Solicitor General Maxwell, for the United States.

667. Clyde Mallox, Plff in Error, vs. The United States. This cause was argued by Mr. A. S. Browne and Mr. L. T. Michener, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

379. Royal Ingraham, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record, with leave to counsel on each side to file printed arguments within ten days.

569. Nicholas Mazarakes, Plff in Error, vs. The United States. In Error to the District Court of the United States for the Northern District of Illinois.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and

in this cause be, and the same is hereby dismissed
per Mr. Chief Justice Fuller

The U.S. ex rel. The International Contracting Company
v.
Daniel S. Lamont, Secretary of War

687. Error to Court of Claims. This cause, heretofore argued, by Mr. A. S. Worthington for the plaintiff in error, and submitted on a printed argument by Mr. Solicitor General Maxwell, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock noon.

Wednesday, October 24th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Stephen Field
George Shiras, Jr.
Edward D. White
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court was opened

George Mason, Appellant
vs. Appeal from the Supreme
Harvey Spalding. Court of the District of
No. 281. Columbia.

This cause having been called to the attention of the Court by Mr. H. L. Cole, of counsel for the appellant, and the hearing thereof moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr Chief Justice Fuller.

The United States,
vs. Petition
Thomas Addison Green. No. 755.

The argument of this cause was commenced

Wednesday, October 24th, 1838, continued

Phillips, of counsel for the appellant, continued by Mr. John G. Johnson, of counsel for the appellees, and concluded by Mr. Talbot Greene Maxwell, of counsel for the appellant.

The United States
vs. Appellant
Johnson Blackfeather, Principal Chief of the Muscogee Indians

Reargument of this cause, was commenced by Mr. Sidney Allen, General Dodge, of counsel for the appellee, and continued by Mr. Charles Maxwell, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, October 25th 1894.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. Chapin Brown it is ordered that Beverly Ley Fothergill Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. Charles Howard it is ordered that Ernest C. Hosier Esquire, of Oakland, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

37. Frederick H. Muser et al. vs. Plffs in Error, Daniel Morgan Collector &c.

The death of Richard Muser, one of the plaintiffs in error, having been heretofore suggested. Now, on motion of Mr. E. B. Smith of Counsel for the plaintiffs in error, It is ordered, by the Court that the cause proceed in the name of Frederick H. Muser and Curt Muser, as surviving partners of the firm of Muser, Brothers.

672. The United States, Appellant, vs. Johnson Blackfeather, Principal Chief of the Shawnee Indians.

The argument of this cause was continued by Mr. Charles Brownell, of Counsel for the appellee, and concluded by Mr. Assistant Attorney General Dodge, of Counsel for the appellant.

2114. Victor Meyer et al. vs. Plffs in Error, Walter T. Richards

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. A. Farran, Mr. D. F. Jonas and Mr. E. B. Knudsohnid of Counsel for the plaintiffs in error, and Mr. A. L. Lazarus, of Counsel for the defendant in error, with leave to Counsel to file additional printed arguments within thirty days.

Frederick H. Nuss, Jal.,
vs. Plff in Error
Daniel Maynard, Deft in Error.

This cause was argued by Mr. E. B. Smith, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Griffing, of counsel for the defendant in error.

(Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock).

Monday, October 26th, 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice

John M. Harlan

Horace Gray

David J. Brewer

Henry B. Brown

George Shiras, Jr.

Edward D. White

Associate Justices

John M. Wright, Esquire, Marshal

James A. McKenney, Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Charles A. Ness, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. P. A. Lambert it is ordered that Thomas Wilson, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Monday, October 20th, 1890. Continued.

38. James Hampden Robb and Charles E. Strong, Trustees, v. Appellants, August Vos.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

Appearing to the Court that although the appeal from the decree dismissing the bill in this cause was prayed and allowed as to William Stix, a defendant below, as well as August Vos, another defendant appellants gave bond upon that appeal, only as to said Vos, and the cause was therefore docketed as against August Vos as sole appellee, and that the orders heretofore entered herein so describe said Vos, yet that counsel appeared for said Stix upon the argument thereof on the 7th day of March, 1890, and appellants then, without objection, filed appeal bond as to him:

It is ordered that said William Stix be, and he is hereby, made party appellee herein as, of March 7, 1890, and that the orders herein entered since that date be, and they are hereby, amended so that said William Stix be made party appellee thereto as if an order to that effect had been that day entered herein.

Per Mr. Chief Justice Fuller.

39. Florine A. Austin, Admx., v. The United States. Appellant.

The argument of this cause was commenced by Mr. John C. Fay, of counsel for the appellant, and continued by Mr. Assistant Attorney General Howard for the appellee, and concluded by Mr. Simeon Hall Boyce, of counsel

for appellant.

The Pennsylvania Railroad Company et al, vs. Effie Jones. No. 40.

Thomas H. Jones. And

The Pennsylvania Railroad Company et al, vs. Effie Jones. No. 41.

Charles F. Stearns.

The argument of this case was commenced by Mr. Brooke Lee, counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until Monday next, at twelve o'clock.

Monday October 4th 1886

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wilkinson Call it is ordered that George McLellan Robbins, Esquire, of Gainesville, State of Florida be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Edward Lewis
vs.
Pima County, Arizona Territory.

Appellant

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Terri-

Reconsideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

Mary P. Greeley, Executrix of George P. Greeley, deceased, Appellant, vs. W. H. Lowe. } Appeal from the Circuit Court of the United States for the Northern District of Florida.

617

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Brown.

Dissenting:
Mr. Chief Justice Fuller.

Monday, October 24th, 1892. Continued.

The People of the State of New York, Appellants, vs. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to dismiss the writ of habeas corpus and to remand the accused to the custody of the proper State authorities.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Field and
Mr. Justice Shiras.

Harry F. Batchelor, Appellant, vs. The United States. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January next.

Per Mr. Chief Justice Fuller.

Mrs. A. F. Sipperley, Mrs. J. Whiting, A. A. Le Roy and The Union Band of Sheeley, Colorado, Appellants
vs.
John O. Smith, George Whiting, Charles F. Connor and George L. Smith.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the appeal herein be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice

641. Emil J. Pepke, Appellant,
vs.
Joseph E. Cronan, as Sheriff of Walsh County, [illegible]

Appeal from the District Court of the United States for the District of North Dakota.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed

Monday, October 19th, 1891. Continued

54 The United States, Appellant, vs. Lake Co. Error

On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by this Court that said motion be, and the same is hereby overruled. Per Mr. Chief Justice Fuller

53 N. Sophia Chase, Executrix &c., Plff in Error, vs. The United States.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Maxwell and Mr. Assistant Attorney General Dodge in support of the same, and Mr. J. G. Harris and Mr. J. G. Haney in opposition thereto.

114. Hyman Sonn et al., Plff in Error, vs. Daniel Magee, Nicholas Girault and Louis A. Salomon et al., Defendants in Error.

205. H. H. Robertson, Collector &c.

On motion of Mr. Solicitor General Maxwell of counsel for the defendants in error, Ordered by the Court that these cases be, and they are hereby, continued until the next term, per stipulation of counsel.

William Simms,
894. vs. Plff in Err.
The United States.

On motion of Mr. Solicitor General Maxwell, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on the third Monday of January, 1895, after the case heretofore assigned for that day.

C. J. Bannon et al,
807. vs. Plffs in Error,
The United States

Mr. Solicitor General Maxwell, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Henry N. Frisbie,
811. vs. Plff in Error,
The United States.

Mr. Solicitor General Maxwell, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

J. W. Todd et al,
892. vs. Plffs in Error,
The United States

The motion to advance this cause was submitted to the consideration of the Court by Mr. Solicitor General Maxwell, in support of the same, and Mr. John C. Fay, in opposition thereto.

631. The Texas & Pacific Railway Company, Appellant vs. The Interstate Commerce Commission.

On motion of Mr. Solicitor General Maxwell, it is ordered by the Court that this cause be, and the same is hereby reassigned for argument on the first Monday of December next after the cases heretofore assigned for that day.

534. The St. Louis & San Francisco Railway Company, Appellant vs. Effie Jones.

On motion of Mr. Frank H. Hazlett, of counsel for the appellant in this cause, it is ordered by the Court that this cause be and the same is hereby advanced pursuant to the 32d rule, to be submitted on printed arguments.

615. Eleanor Taylor, Administratrix of George Taylor, dec'd, and Frederick H. Taylor, Mary Finlay Taylor, and Lurtel N. Taylor, heirs at law of Geo. Taylor, deceased, Appellants vs. The Girard Life Insurance Annuity and Trust Company of Philadelphia.

It satisfactorily appearing to the Court from a communication of Morgan A. Beach, Esq., an attorney of this Court, this day filed in this cause, acting on behalf of Eleanor Pearson, one of the heirs at law of the deceased appellant, George

to enter her appearance as said heir at law, declines to do so. It is now here ordered by this Court that the Administratrix and such heirs at law as have heretofore made parties appellants in said cause have leave, and such leave is hereby granted them, to prosecute said appeal, without the joinder of said Eleanor Pearson, as one of the appellants herein, and that this order operate as a severance in said respect, and said communication stand in lieu of service of summons on said Eleanor Pearson.

Mr. Chief Justice Fuller

40. The Pennsylvania Railroad Company et al., Plffs in Error, vs. Thomas W. Jones. And The Pennsylvania Railroad Company et al., Plffs in Error, vs. Charles P. Bennett.

Reargument of these cases now continued by Mr. Enoch Totten, of Counsel for the Plaintiffs in error, and Mr. H. L. Cole and Mr. H. A. Cook, of Counsel for the defendants in error, and concluded by Mr. Enoch Totten, of Counsel for the Plaintiffs in Error.

The Dale Refrigerating Co., Appellant, vs. Ferdinand Hufschmidt et al.

Ordered by the Court that this cause be, and the same is hereby

Monday, October 19th, 1896, Continued

Reassigned for argument on the second Monday of November next.

The Consolidated Electric Light Company,
vs. Appellant
The McKeesport Light Co.

The argument of this cause was commenced by Mr. Leonard S. Curtis, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, October 30th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened by

William M. Bennett,
vs.
George Hunkraden.
58. Ordered by the Court that this cause be, and the same is hereby, dismissed subject to the provisions of Section 9 of Rule 16.

The Consolidated Electric Light Company,
vs.
The McKeesport Light Co.
44. Appellant, The argument of this cause was continued by Mr. Leonard E. Curtis, of counsel for the appellant, and Mr. Frederic P. Fish, of counsel for the appellant, and concluded by Mr. Edmund Wetmore, of counsel for the appellant.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Esq., Clerk.

Proclamation being made the Court is opened.

The Cincinnati, New Orleans & Texas Pacific Railway Co., et al., Appellants, vs. The Interstate Commerce Commission. And The Interstate Commerce Commission, Appellant, vs. The Cincinnati, New Orleans & Texas Pacific Railway Co., et al.

799. 832.

Mr. Solicitor General Maxwell submitted to the consideration of the Court a motion to advance these cases.

The State of California, Complainant, vs. Southern Pacific Company.

No. 7, Original.

Mr. James Lowndes, in behalf of counsel for The City of Oakland, submitted to the con-

sideration of the Court a motion for

heard orally in the argument of this cause.

465. Frederick Lehrman, Appellant vs. [illegible]

This cause was argued by Mr. Charles A. Clark of counsel for the appellant, and Mr. Ernest C. Henick, of counsel for the appellee

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Saturday, November 17, 1894.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Woolworth it is ordered that Frank P. Rozzelle, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The National Cash Register Company, Appellant
vs.
The Boston Cash Indicator & Recorder Company.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

It appearing to the Court that a motion by counsel

Thursday, November 14, 1895. Continued.

filed. Therefore, in pursuance of said decision
it is now here ordered, adjudged and decreed
by this Court that this appeal be, and the same
is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

147. Charles E. Simmons Trustee, et al., Appellants, vs. The Burlington, Cedar Rapids & Northern Railway Co., et al.

And

148. The Burlington, Cedar Rapids & Northern Railway Co., Appellant, vs. Charles E. Simmons, Trustee, et al.

These cases were argued by Mr. Charles A. Clark, of counsel for Simmons, Trustee, et al., and Mr. S. M. Woodworth, of counsel for the Railway Company.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, November 2d, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that John W. Lovell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Jerome F. Manning, Appellant,
v.
Irvine J. McLaren, et al.

On motion of Mr. Robert Christy, in behalf of, counsel for the appellant, It is ordered by the Court that this cause be and the same is hereby passed, subject to the provisions of section 4 of Rule 26.

538. Joseph F. Hamilton et al, vs. Plff's in Error
J. T. Brown et al

This cause was submitted to the consideration of the Court, (pursuant to the 25th rule, on the record and printed arguments by Mr. N. C. Barnard, of Counsel for the Plaintiffs in error, and Mr. S. G. Fisher, of Counsel for the Defendants in error.

149. The Lake Superior Ship Canal Railway & Iron Co., vs. Plff in Error,
Walter A. Cunningham
The Lake Superior Ship Canal Railway & Iron Co.,
50. vs. Plff in Error
Hugh Finan
and
Michael Donahoe
51. vs. Plff in Error
The Lake Superior Ship Canal, Railway & Iron
Finan and Donahoe,

The argument of these cases was commenced by Mr. Don. A. Dall, of Counsel for The Lake Superior Ship Canal, Railway & Iron Co., and continued by Mr. Don M. Dickinson, of Counsel for Cunningham.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 5th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ex. Chandler it is ordered that Russell H. Jandale, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas C. Chappell, Plaintiff in Error,
vs.
James M. Waterworth.

In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and

this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand it to the Circuit Court of the fifth judicial circuit of the State of Maryland.

Per Mr. Justice Gray.

807. P. J. Gannon and C. J. Mulkey, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

811. Henry N. Frisbie, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next.

Per Mr. Chief Justice Fuller.

809. J. W. Todd et al., vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said mo-

Monday, November 5th, 1891, Ordered:

Cause assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The Cincinnati, New Orleans & Texas Pacific Railway Co., et al., Appellants
vs.
The Interstate Commerce Commission
and
The Interstate Commerce Commission, Appellant,
vs.
The Cincinnati, New Orleans & Texas Pacific Railway Co., et al.

No. 794.
1892.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The State of California, Complainant,
vs.
Southern Pacific Company.

Original.

On consideration of the application of counsel for The City of Oakland, for leave to be heard orally in the argument of this cause, It is now here ordered by the Court that leave be, and the same is hereby, granted to counsel for said City of Oakland to argue this cause orally as amicus curiae.

Per Mr. Chief Justice Fuller.

Monday, November 21st, 1892, Continued

In the matter of the application of Gustave A. Jahn & Co. upon certain merchandise entered by the "Alps", August 16, 1890	On a certificate from the United States Circuit Court of Appeals for the Second Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the question certified be answered in the affirmative. Whereupon, it is now here ordered by this Court that it be, so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller

815.	William H. Cochran et al., vs. The United States	Mr. Assistant Attorney General Whitney, of counsel for the defendant

in error, submitted to the consideration of the Court a motion heretofore made

814.	Alfred P. Thom, Receiver, vs. John B. Pittard et al	Appellant, The petition for a writ of certiorari herein to the United States Circuit Court

of Appeals for the Fourth Circuit was submitted to the consideration of the Court on a previous argument by Mr. A. M. Hughes, in support

Monday, November 5th, 1894. Continued.

Julius Hebenweg,
238 vs. Appellant,
La Compagnie Generale
Transatlantique.

The petition for a writ of Certiorari herein, to the United States, Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. R. D. Benedict and Mr. E. K. Jones, in support of the same, and Mr. N. D. Ward and Mr. Harrington Putnam, in opposition thereto.

The Newport News & Mississippi Valley Company,
205. vs. Appellant,
The Steamship "Yale" &c.

Mr. George Bethune Adams, of counsel, for the appellant, submitted to the consideration of the Court a motion to advance this cause.

John D. Bradley,
199. vs. Appellant,
The Arkansas & Louisiana Railway Company.

Mr. A. H. Garland, of counsel for the appellant, presented a response of appellant to rule on him to file a good and sufficient supersedeas bond, herein and also tendered a new supersedeas bond and asked leave to file the same which was opposed by Mr. John J. Joyce, of counsel for the appellee. Whereupon leave was granted Mr. Joyce to file opposition thereto on or before the 9th instant.

49. The Lake Superior Ship Canal Railway & Iron Co. vs. Respts in Error. Walter A. Cunningham. The Lake Superior Ship Canal Railway & Iron Co.

50. vs. Respts in Error. Hugh Tennant

51. Michael and Donahoe vs. Respts in Error. The Lake Superior Ship Canal Railway & Iron Co.

Reargument of these cases was concluded by Mr. John D. Allen, of Counsel for the Lake Superior Ship Canal Railway & Iron Co. Respts

54. William Deering, vs. Appellant. The Winona Waterworks et al.

Reargument of this cause was commenced by Mr. Thomas A. Banning, of Counsel for the appellant, and continued by Mr. P. C. Dyrenforth, of Counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, November 6th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr. James Lowndes it is ordered that Hal-con B. Miller, Esquire, of Charleston, State of South Carolina be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Harriet S. Sellers,
vs. Appellant,
N. G. Miller et al

Appeal from the Circuit Court of the United States for the Northern District of [illegible]

It appearing to the Court that a motion by Counsel, for the appellant to dismiss this cause has been filed therefore, in pursuance of said motion, it is now ordered, adjudged, and decreed by this Court that this appeal be, and the same is

54. William Deering. vs. Appellant. The Monona Woolen Works et al. Reargument of this cause was continued by Mr. C. A. Ingersoll, of Counsel for the appellees, and concluded by Mr. Thomas A. Banning, of Counsel for the appellant.

66 Amos Woodruff Slack et al. vs. Appellants in Error. The State of Mississippi, et al. Ordered by the Court that this cause be, and the same is hereby, passed.

The State of Indiana ex rel. Walter Newton, Relator, vs. Appellants in Error. Frisia Howard et al. This cause was argued by Mr. L. T. Michener, of Counsel for the defendants in error and submitted on printed arguments by Mr. J. M. Wilson, Mr. Solomon Claypool and Mr. A. A. Nicholson, of Counsel for the plaintiff in error, and Mr. Charles B. Newcomb, of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 7th, 1894.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

No. [illegible] E. Strong et al.,
vs.
Woodcocks,
vs.
[illegible] et al.

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 16th Rule of this Court now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr Chief Justice Fuller

53. William Coupe et al. vs. Herman Royer et al. } Pleas in Error. } The argument of this cause was commenced by Mr. H. A. Wise of counsel for the plaintiffs in error, continued by Mr. W. A. Wheaton, of counsel for the defendants in error and concluded by Mr. Edmund Abelmore, of counsel for the plaintiffs in error.

55. Catherine Golden vs. The Morning Star of New Haven } Pleas in Error. } Ordered by the Court that this cause be dismissed hereby [illegible]

(Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

George S. Wheeler, Plaintiff in Error,
v.
William Augustus White.

In Error to the Supreme Court of the State of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 16th Rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

F. A. Osborne, Plaintiff in Error,
v.

This cause was argued by Mr. John C. Northrop, Counsel for the Plaintiff

in error, and submitted on a printed argument by Mr. John [illegible] of counsel for the plaintiff in error.

Thomas H. Hoos et al., Executors, et al., Appellants, vs. Andrew J. Rixey. By Andrew J. Rixey.

Andrew J. Rixey, Appellant, vs. Thomas H. Hoos et al., Executors, et al. 63.

These causes were argued by Mr. Andrew J. Rixey, in propria persona, and Mr. George H. Hingle, of counsel for Hoos et al., and submitted on a printed argument by Mr. John M. Bowers, of counsel for Rixey.

John Hobart Warren et al., Appellants, vs. William J. Hoos. 60.

This cause was argued by Mr. R. Davenport, of counsel for the appellee, and submitted on a printed argument by Mr. Dick Cowen, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, November 9th, 1891.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Associate Justices.

John M. Wright Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. A. H. Garland it was ordered that James L. Hopkins, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

79. George S. Wheeler, Executor &c., In Error to the Supreme Court of the State of Nebraska.
vs.
Lucy Maria Pearl,

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record filed, therefore, in pursuance of the

adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

61. The Steamship "Breakwater" &c., Appellant, vs. The New York, Lake Erie & Western Railroad Co.

This cause was argued by Mr. F. D. Sluyer, of counsel for the appellant, and Mr. George Bethune Adams, of counsel for the appellee.

64. The Northern Pacific R. R. Co., Plaintiff in Error, vs. James Nelmes

and

65. The Northern Pacific R. R. Co., Plaintiff in Error, vs. David O'Neil

The question of jurisdiction in these cases was argued by Mr. W. G. Andrews, of counsel for the defendant in error in No. 64, and Mr. Reese M. Voorhees, of counsel for the defendant in error in No. 65, in support of motions to dismiss, and Mr. A. H. Garland, of counsel for the plaintiff in error, in opposition thereto.

67. Mary P. Hays et al., vs. Edward Sluyer.

This cause was submitted to the consideration of the Court on

Friend appeared by Mr. Frederic Hall, of counsel for the plaintiffs in error. No counsel appeared for the defendant in error.

George P. Simmons et al., vs. Jeffs in Error, Theodore Hallam.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. A. McKnight and Mr. M. B. Seay, of counsel for the plaintiffs in error, and Mr. S. B. Morton, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 18th 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. N. Garland it is ordered that Sabert M. Casey, Esquire, of Ft. Madison, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Edwin Hillis it is ordered that Edward G. Merendeen, Esquire, of Elmira, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

Mr. H. S. D. Hopkins it is ordered that William A. Sargent, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and sworn accordingly.

On motion first made to the Court on behalf of Mr. Lindsay Butler it is ordered that Albert Conger, Jr. Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and be sworn accordingly.

Joel B. Erhardt Collector of the Port of New York

vs. Plff in Error

Frederick A. Schroeder, Isidore M. Bernheim, William J. Hazlewood composing the firm of Schroeder & Bro.

In Error to the Circuit Court of the United States for the Southern District of New York

31.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial, inasmuch as

tobacco contained in the ten bales withdrawn by the importer.

Per Mr. Justice Miller.

(Mr. Justice Bradley was not present at the argument and took no part in the decision of this case.)

Horace F. Allis,
vs.
The United States.

In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Bradley.

R. Sophia Chase, Executrix, &c.
vs.
The United States.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed to the hearing of the cause on its merits.

Per Mr. Chief Justice Waite.

The Provincial White Coal, Mining & Shipping Co. vs. Appellant. The Steamship Hale &c.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause advanced as under the 3rd rule, to be submitted on printed arguments.

Per Mr. Chief Justice Fuller.

811. Alfred P. Thom, Receiver &c. vs. Appellant. John B. Pillard et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit and of the argument of Counsel in support of the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

815. William A. Cochran et al. vs. Plffs in Error, The United States.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

838. Julius Lebeuvey, Appellant, vs. La Compagnie Generale Transatlantique. } Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

Reconsideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that the said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

673. F. R. Osborne, Plaintiff in Error, vs. The State of Florida. } It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument before a full bench.

(Per Mr. Chief Justice Fuller.)

611. The Northern Pacific Railroad Company, Plaintiff in Error, vs. James Holmes. } In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on a motion to dismiss which was argued by counsel. On consideration whereof, it is now here ordered and

Monday, November 9th 1891 Continued

is this cause be and the same is hereby dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company, Plff in Err.
vs.
David O'Brien.

In Error to the Supreme Court of the State of Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on a motion to dismiss or affirm [illegible] by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Alexander Allen, Plff in Err.
vs.
The United States.

On motion of Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, It is ordered that this cause be, and the same is hereby advanced and assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Charles Davis, Plff in Err.
vs.
[illegible]

Mr. Assistant Attorney General Whitney, for the

mitted to the consideration of the Court a motion to advance this cause.

184. John A. Bentley, Appellant, vs. The United States. The suggestion of pendency of the second motion for a writ of certiorari in this cause was submitted to the consideration of the Court on printed arguments by Mr. A. G. Safford in support of the same, and Mr. Assistant Attorney General Dodge, in opposition thereto.

Ex parte: In the matter of Caleb H. Walcott, (Petitioner.) Mr. Frank H. Mackett submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

75. John P. Andrews & Andrew Sproule, as Samuel C. Davis & Co., et al., Appellants, vs. John H. Schwartz, et al. Mr. John H. Noble, of counsel for the appellants, suggested the death of John P. Andrews, one of the appellants herein, and moved the Court that the cause proceed in the name of Andrew Sproule, as surviving partner of the firm of Samuel C. Davis & Co. Whereupon, It is now here ordered by the Court that this cause proceed in the name of the said Andrew Sproule, as surviving partner

of Samuel C. Davis & Co.

537 Clay Pelee, vs. The United States. Mr. J. P. Michener, for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis and that the record be printed at the public expense and a motion for a writ of supersedeas.

75 William H. Jones, vs. The Commonwealth of Virginia. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed and cost.

per Mr. Chief Justice Waite.

79 J. J. Mallun et al., vs. Plffs in Error, John H. Beauford, Defendant in Error. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause having been called for hearing in its

the parties have failed to print the transcript of the record, it is therefore, in pursuance of the rule of this Court, now ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Charles Scheele, Plaintiff in Error,
vs. In Error to the Circuit Court of the United States for the Eastern District of Missouri.
Jeremiah Lordan, Chief of Police, etc.

This cause coming on to be heard on the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

The Consolidated Roller Mill Company, Appellant,
vs. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.
The Barnard & Leas Manufacturing Company.

This cause was argued by Mr. George H. Lothrop, of counsel for the appellant, and Mr. R. H. Parkinson, of counsel for the appellee.

Andrew Sproule, Surviving Partner &c., et al.,
vs. Appellants
John Hutchinson et al.,
Appellees.

The argument of this Cause was Commenced by Mr. John W. Noble, of Counsel for the Appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Tuesday, November 13th, 1894

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court was opened

No. 82. F. N. Delano, Appellant, vs. The County of Polk. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. George A. Sanders, of counsel for the appellant. No counsel appeared for the appellee.

No. 75. Andrew Sproule, surviving partner &c., et al., Appellants, vs. John H. Sherwood, et al. The argument of this cause was continued by Mr. John G. Noble, of counsel for the appellants, and Mr. David Sheean, of

Tuesday November 18th 1834 Continued

Mr. John W. Noble, of counsel for the Appellants.

Charles C. Harrison et al. vs. Hermann Forthage et al. } This cause was argued by Mr. John M. Johnson, of counsel, for the plaintiffs in error, and Mr. William Allen Butler, of counsel, for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 14th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened

Charles A. Miller, Plaintiff in Error,
vs.
The Western Union Telegraph Company.

In Error to the Circuit Court of the United States for the Northern District of Ohio.

This cause having been called for hearing in due regular order, and it appearing to the Court that the plaintiff has failed to print the transcript of the record herein, in pursuance of the 10th Rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Mr. Chief Justice Fuller

Wednesday, November 11th, 1891 continued

Bella N. Johnson Executrix &c, et al, Appellants, vs. The Atlantic, Gulf & Pacific Steamship Company, Ltd. The argument of this cause was commenced by Mr. George F. Edmunds of counsel for the appellants, continued by Mr. Hutchinson Cull, of counsel for the appellants, and Mr. A. H. Tombleson, of counsel for the appellees and concluded by Mr. A. H. Garland, of counsel for the appellants.

Ida P. Potter vs. Griffin Bros. The argument of this cause was commenced by Mr. H. J. Bolton of counsel for the plaintiff

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, November 15th, 1894

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made, the Court is now in session.

On motion first made to the Court in this behalf by Mr. B. H. Pristow it is ordered that Paul D. Cravath, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he thereupon accordingly

No. 17. Ellen A. Johnson, Executrix vs. et al., Appellants, vs. The Atlantic, Gulf & West India Transit Company et al.

On motion of Mr. Hilkinson, Counsel, for the appellants, leave is hereby granted him to file a supplemental brief herein within one week

87. George H. Dick, Plaintiff in Error, vs. Joseph B. Appellant, Joseph B. Appellee. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. L. Penn, of counsel for the appellant, and Mr. D. B. Jones, of counsel for the appellee.

531. Asa P. Potter, Plaintiff in Error, vs. The United States. The argument of this cause was commenced by Mr. A. S. B. Hopkins, of counsel for the plaintiff in error and Mr. Assistant Attorney General, General of counsel for the defendant in error, and concluded by Mr. Henry Dodge, of counsel for the plaintiff in error.

687. The Bell Telephone Co., Appellant, vs. Ferdinand Shellenger et al. On motion of Mr. B. A. Bicknell, leave is hereby granted him to file a printed argument herein on behalf of The Harrison Inter-National Telephone Company, and on motion of Mr. Edmund Helmore leave is hereby granted Wm. C. H. Aldrich to file a printed argument herein on behalf of Milo G. Kellogg.

On motion of Mr. James C. Carter, of counsel for the appellants, counsel on each side are allowed one hour additional time for the argument of this cause.

Wednesday, November 8th, 1871. Continued

687. The Pale Refrigerating Co. vs. Appellant
Ferdinand Sulzberger et al

The argument of this cause was commenced by M. Charles E. Mitchell, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, November 6th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

No. 87. Pettibone Refrigerating Co., Appellant, vs. Pettibone Wahlgreen et al.

Argument of this cause was continued by Mr. Charles E. Mitchell, of counsel for the appellant, Mr. Wheeler H. Peckham and Mr. Edmund Wilcox, of counsel for the appellees, and Mr. James C. Carter, of counsel for the appellant.

Proclamation being made, the Court adjourned until Tuesday next at twelve o'clock.

Monday, November [illegible]

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan
Horace Gray, Associate
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell, it is ordered that Charles H. Smith, Esquire, of [illegible] State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. C. Claughton it is ordered that John J. [illegible] Esquire, of Blytheville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court [illegible]

by Mr Charles Brossett it is ordered that P. H. Hudson Esquire of Charleston, State of South Carolina and William L. Martin, Esquire, of Montgomery, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly

The United States,
vs. Appellant
(677) Johnson Blackfeather, Principal Chief of the Shawnee Tribe of Indians

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said Court of Claims with directions to re-compute the amount due to the Indians and their Counsel in conformity with the opinion of this Court and enter a decree accordingly.

(per Mr Justice Nelson)

The United States vs The Choctaw Nation,
(678) vs. Appellants
Charles Jonnycake, Principal Chief of the Delaware Indians

Appeal from the Court of Claims

This cause came on to be heard on the transcript of

the record from the Court of Claims and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brewer.

671. The United States and The Cherokee Nation, Appellants, v. Johnson Blue Feather, Principal Chief of the Cherokee Nation. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brewer.

11. John J. Schillinger, and Charles C. Creecy, in his own right as Assignee &c., Appellants, v. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of

argued by counsel. On consideration whereof, it is ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brewer.

Dissenting:
Mr. Justice Harlan and
Mr. Justice White.

233 The Pittsburg, Cincinnati & St. Louis Railway Company and The Pennsylvania Railroad Co., Appellants, v. The Keokuk & Hamilton Bridge Company.

On certificate from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the second question certified must be answered in the affirmative. Whereupon, it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

(Mr. Chief Justice Fuller, having been of counsel, did not sit in this case or take any part in this decision.)

The Chief Justice announced that the Court would adjourn on Friday the 21st inst. until Monday December 24th.

36. Thomas D. Olin and Edwin D. Olin, Appellants, vs. Henry Tenney. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with a direction to dismiss the bill.

Per Mr. Chief Justice Fuller.

134. John A. Bentley, Appellant, vs. The United States. On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari herein, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now ordered by this Court that said motion be, and the same is hereby denied.

Charles Dewey,
vs.
The Town of Sturgis et al.

On consideration of the motion of counsel herein, it is now ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the first Monday of March next, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Waite.

No. 711.

William P. McKnight,
vs.
Charles C. Jones, Warden of the Ohio Penitentiary.

On consideration of the motion for leave to prosecute this cause in forma pauperis, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

In re: In the matter of Neal H. Nelson.
Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, it is now here ordered by the Court that said motion be and the same is denied.

Per Mr. Chief Justice Waite.

In the matter of the application of Charles Mosher et al.

On motion of Mr. Solicitor General, Mr. [illegible]

Monday, November 19th, 1894. Appeal dismissed

hereby granted the Clerk to issue the mandate

George A. Pearce
vs.
The State of Nevada et al.

No. 530. The motion to dismiss appeal in this cause was submitted to the Court on the record and printed argument by Mr. William L. Marsden on behalf of the

The Last Chance Mining Company et al.
vs.
The Tyler Mining Co.

No. 531. The petition for a writ of error to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the Court on printed arguments by H. B. Heyburn and Mr. C. S. Voorhees in support of the same and Mr. J. R. McBride and Mr. Joseph Doepk, in opposition thereto.

John J. Shipman et al.
vs.
William Fletcher et al.

No. 377. This cause having been called to the attention of the Court by Mr. H. Hillaughby of counsel for the plaintiffs in error and counsel for the defendants in error, and it appearing to the Court that the defendants in error have not been served with process herein, and that they have not appeared herein, it is ordered that this cause be, and the same is hereby dismissed with costs, this cause having been filed through

It is ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller

Dec.

C. S. Duffy, Auditor, etal., Appellants vs. Alexander McLean etal.

On motion of Mr. F. S. Bell of counsel for the appellants, It is ordered by the Court that this cause be and the same is hereby dismissed.

1890

John D. Bardsley, Appellant, vs. The Louisiana Railway Company

Mr. A. N. Garland, of counsel for the appellant, moved the Court to approve the supersedeas bond heretofore tendered in this cause, and Mr. J. J. Joyce, of counsel for the appellee submitted a printed argument in opposition thereto.

Dec.

B. Frank Nealley etal., Appellants vs. The Steamship Michigan

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on a printed argument by Mr. J. Wilson Larkin and Mr. Harrington Putnam in support of the same.

Monday, November 4th, 1889. Full Bench.

634. Henry Morgan, guardian, etal., vs. J. E. Potter, guardian, &c. Appellants. On motion of Mr. S. F. Tarver, of counsel for the appellants, it is ordered by the Court that this cause be taken up and heard in advanced pursuant to the 32nd Rule.

634. Henry Morgan, guardian, etal., vs. J. E. Potter, guardian, &c. Appellants. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. F. Tarver, of counsel for the appellants, and Mr. H. A. Rossington and Mr. Charles Blood Smith, of counsel for the appellees.

702. The Postal Telegraph Cable Co., vs. Alfin Enos, The State of Alabama. This cause was submitted to the consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. S. Monette Meadows and Mr. P. H. Hudson, of counsel for the plaintiff in error, and Mr. William L. Martin, of counsel for the defendant in error.

735. Charles Collins Buck etal., vs. Alfin Enos, The State of Alabama. The motion for an order granting the Clerk leave to issue

Same was submitted to the consideration of the Court by Mr. Hallett Phillips in support of the and Mr. Duane K. Fee in opposition thereto

Ex parte: In the matter of Lafayette Henderson, Petitioner.

Mr. A. N. Garland of Counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of [illegible] and leave was granted Mr. Solicitor General Maxwell to file a printed argument in opposition thereto on or before the 24th instant.

Ex parte. In the Matter of Stevenson Smith, Petitioner.

Mr. A. N. Garland, of Counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of Habeas corpus herein and leave was granted Mr. Solicitor General Maxwell to file a printed argument in opposition thereto on or before the 23d instant.

The Dale Refrigerating Co., Appellant, vs. [illegible]

The argument of this cause was concluded by Mr. James C. Carter, of Counsel for the appellant.

81. A. P. Lloyd Assignee &c. vs. Hoffman, Hallie A. Hamilton et al.

This cause was argued by Mr. A. P. Lloyd, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. C. J. Nelson, of counsel for the defendants in error.

83. N. Sophia Chase Executrix &c. vs. Hoffman The United States

This cause was argued by Mr. J. G. Clancy, of counsel for the plaintiff in error, and Mr. Cleveland Attorney General, of counsel for the defendant in error.

84. The Baltimore & Potomac Railroad Co. et al. vs. Hoffman Franklin & Maddox, Plaintiffs in error

The argument of this cause was commenced by Mr. [illegible] of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at [illegible]

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 13. Frank Healey et al., Appellants, vs. The Steamship Washington. On motion of Mr. E. P. Carver leave is hereby granted him to file a printed argument in opposition to the petition for a writ of certiorari herein on or before the 23d instant.

John A. Stewart et al., Plaintiffs in Error, vs. A. L. Deal et al. Ordered by the Court that this cause be, and the same is hereby, passed for settlement.

Monday November 20th 1854 Continued

112. The Massachusetts & Southern Construction Company, vs. The Township of Pine Creek &c. Appellants

This cause was submitted to the consideration of the Court Pursuant to the

on the record and printed arguments by Mr. Samuel Lord, of counsel for the appellant, and Mr Isa B. Jones, of counsel for the

54. The Baltimore & Potomac Railroad Co, et al. vs. Peter Gray. Plaintiff in error. Franklin A. Maeder, Defendant

The argument of this cause was continued by Mr. Enoch Totten, of Counsel for the plaintiffs in error and Mr. Franklin A. Maeder, of counsel for the defendant in error and concluded by Mr. Enoch Totten, of counsel for the plaintiffs in

55. The Old National Bank of Evansville, Indiana vs. The Common American National Bank of Peoria Illinois

This cause was argued by Mr. Stephens A. Snow, of Counsel for the plaintiff in error, and Mr. Chandler

M. Smith, of counsel for the defendant in

No. Lauvette Estelle Horne, Admixr. vs. The Ger. Mutual

The argument of this cause was commenced by Mr. S

Thursday, November 16th, 1911, Continued

Counsel for the plaintiff in error
continued by Mr. George Putnam of counsel
for the defendant in error.

Proclamation being made the Court is adjourned
until tomorrow at twelve o'clock.

Wednesday November 21st, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made, the Court announced

On motion first made to the Court in this behalf by Mr. George Hoadly it is ordered that John L. Peak and Elijah Robinson, Esquires, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were severally

831. The Last Chance Mining Company et al. vs. Plaintiffs in Error,
The Tyler Mining Company

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit

the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby granted.

Per Mr. Chief Justice Fuller.

No. J. J. Dillard, Plff in Error, vs. W. A. Morrison, Executor &c. Def't in Error. } In Error to the Corporation Court of Lynchburg, Virginia.

This cause having been called for hearing in due regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

No. Lucelle Belle Horne, Admrx, Plff in Error, vs. The Geo. N. Hammond Co. Def't in Error. } The argument of this cause was continued by Mr. George Putnam, of counsel for the defendant in error, and concluded by Mr. Eugene P. Carver, of counsel for the plaintiff in error.

No. Christopher C. Campbell, Plff in Error, vs. The City of Knoxville. Def't in Error. } The argument of this cause was commenced by Mr. Harvey D.

Wednesday, November 9th, 1898, Contin

for the plaintiff in error, and continued by
Frederic P. Fish, of counsel for the defend
in error.

Proclamation being made the Court is ad
ed until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion duly made to the Court in this behalf by Mr. J. M. Eddington it is ordered that J. Hunter Pendleton, of Takoma Park, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

706. William B. Burnet, Appellant, vs. John H. Jacobus & Co. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. George Hoadley, of counsel for the appellant, and he having moved the Court to dis-

Thursday, November 24th, 1892. Continued.

miss this cause, therefore, in pursuance of said motion, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

No. [illegible] George M. MacDonald et al. vs. The United States. Petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Seventh Circuit, was submitted to the consideration of the Court on a printed argument by Mr. William A. Keasbey, in support of the petition.

813. Count Joseph Telfener vs. George H. Nixon. On motion of Mr. F. D. McKenney, in behalf of counsel for the plaintiff in error,

It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

98. Mayer Halff et al., Appellants, vs. John H. Phillips et al. Appeal from the Circuit Court of the United States for the Northern District of [illegible]

This cause having been called for hearing in its regular order, and it appearing to the Court

Thursday, November 22d, 1894. Continued

that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, Now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Frank P. Dickson, Appellant, vs. George B. Rowland, Appellee. } Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Christopher C. Campbell, Plaintiff in error, vs. The City of Haverhill, Defendant in error. } The argument of this cause was continued by Mr. Charles P. Fish, of counsel for the defendant in error, and concluded by Mr. Harvey D. Hadlock, of counsel for the plaintiff in error.

James A. Linford, Jr., Appellant, vs. Sheldon P. Thomas. } This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. L. Rawlins, of counsel for the appellant, and Mr. J. G. Sutherland and Mr. Arthur Brown, of counsel for the appellee.

George A. Cunningham et al., Appellants, vs. The Mayor & Common Council of the City of Detroit. } The argument of this cause was

Monday, November 22d, 1841, Continued

Mr. Charles F. Peck, of counsel for the appellants, and continued by Mr. George Hoadley, of counsel for the appellees, and Mr. John Woodward, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Monday, November 24, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court was opened.

On motion first made to the Court in this behalf by Mr. George Hoadly it was ordered that John G. Judge, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he thereupon was accordingly.

John J. Shipman, et al., Plffs in Error, vs. William Fletcher, et al.

Mr. H. Hilloughby, of counsel for the plaintiffs in error presented a stipulation of counsel for the respective parties agreeing that the judgment of dismissal entered in this cause on the 10th instant be vacated and set aside as having

suggesting the deaths of William Fielder and Jonathan Maguire, two of the defendants in error, in consequence of which the Annexables as to them, and moved the Court to reinstate the cause on the docket as to the surviving defendant in error James M. Maguire. Whereupon It is now here ordered by the Court that the said judgment of dismissal be, and the same is hereby vacated and set aside, and the cause restored to the docket as to the said defendant in error James M. Maguire.

24. Richard T. Talbert, Admr. &c. Appellant
vs.
The United States.

And

The United States, Appellant,
vs.
Richard T. Talbert, Admr. &c.

On motion of Mr. A. J. Hencle, of Counsel for Talbert, Admr. &c., leave is hereby granted the Clerk to issue the Mandate in these cases.

25. George A. Cunningham et al., Appellants
vs.
The Macon & Brunswick Rail Road Co. et al., Appellees.

Reargument of this cause was concluded by Mr. John Howard, of Counsel for the Appellants.

29. Joseph S. Brown, Appellant,
vs.
B. D. Spilman et al.

This cause was submitted to the consideration of the Court on the record and printed

arguments by Mr. Thomas J. Stealey, of counsel for the appellant, and Mr. John A. Hutchinson, of counsel for the appellees.

C. & A. Potts & Co., No. 11. Appellants, vs. Thos. F. Leigen et al

The argument of this cause was commenced by Mr. Chester Bradford, of counsel for the appellants, continued by Mr. Wm. Hubbell Fisher of counsel for the appellees, and concluded by Mr. Ernest H. Bradford, of counsel for the appellants.

The Pittsburg Cincinnati & St. Louis Railway Co., et al., No. 33. Appellants, vs. The Keokuk & Hamilton Bridge Company

Ordered by the Court that the Clerk be, and he is hereby, granted leave to issue the mandate in this cause, per

Stipulation of Counsel.

Proclamation being made the Court is adjourned until Monday the third day of December next at twelve

Monday, December 6th, 1875.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.,
Edward D. White,

Associate Justices.

John M. Wright, Esquire, Marshal,
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that J. A. Limbeger, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. P. C. Fletcher it is ordered that Michael Kinealy, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this be-

that Walter S. Johnston, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. L. M. Fickle it is ordered that W. P. Washburn, J. S. Webb, Jerome Templeton, John W. Green, C. C. Lively, Leon Jourdan and Horace Finn, Esquires, of Knoxville, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Wesley S. Lane, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry S. Robbins it is ordered that Nathaniel T. Accarrey, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas Thompson, Plaintiff in Error, vs. The United States, Defendant in Error. In Error to the Circuit Court of the United States for the Western District of Arkansas.

Monday, December 21, 1891, Continued

record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new [illegible]

Per Mr. Justice [illegible]

John Hobart Warren, George A. Wells and Walter P. Warren, Survivors of Joseph W. Fuller, deceased,

vs.

William J. Keep.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that Laws bear in the Courts of the State of New York.

Per Mr. Justice [illegible]

61. The Steamship "Brazilian", her engines &c., The Old Dominion Steamship Company, Claimant, v. The New York Lake Erie & Western Railroad Company, Appellant, — Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

54. William Deering, v. The Minona Harvester Works, C. L. Penner, J. J. Randall, Caspar W. Israel and C. N. Perkins, Appellant, — Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And it is further ordered that this

is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Brown.

112. The Massachusetts & Southern Construction Company, Appellant, vs. The Township of Custer in Custer County, North Dakota. Appeal from the Circuit Court of the United States for the District of North Dakota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of North Dakota, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, at the costs of the appellant; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to sustain the plea to the jurisdiction, and to dismiss the bill for want of jurisdiction.

Per Mr. Justice Brown.

117. John D. Beardsley, Appellant, vs. The Arkansas & Louisiana Railway Company. On consideration of the motion to vacate the supersedeas heretofore in force in this case, and on motion of counsel

There was filed a motion in this case

the same, it is now ordered by the Court that said motion be, and the same is hereby granted and the supersedeas awarded accordingly.

Per Mr. Chief Justice Fuller.

No. 936. Wing Telong, Appellant, vs. The United States. On consideration of the motion for leave to prosecute this cause in forma pauperis and motion for the allowance of a supersedeas herein, it is now ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Fuller.

No. 936. Charles Collins Buck et al., Appellants, vs. The State of Louisiana. On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause, it is now ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 947. B. Frank Healey et al., Appellants, vs. The Steamship Michigan. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of

of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of Ramon Smith, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of Lafayette Hudson, Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of Lafayette Hudson, Petitioner. On consideration of the petition of Lafayette Hudson

It is now here ordered by the Court that cause be shown by the Honorable A. C. Bunker, Judge of the District Court of the United States for the Western District of Arkansas, before this Court, at Washington on the first Monday of January, 1895, at 12 o'clock noon of that day, or as soon thereafter as Counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

Mr. Chief Justice Fuller

69. George F. Simmons and Otto Nelson, Plffs in Error, vs. Theodore Wallenius.

In Error to the District Court of the United States for the District of Alaska.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Alaska, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

57. The State of Indiana ex rel: Walter Shenton, Relator, vs. Ariela Moore et al.

It is ordered by the Court that the plaintiff in error be, and he is hereby, given leave to file sug-

gestions in writing ten days in regard to the

Monday, December 3d, 1894, Continued

delay in docketing this cause in this Court.

Per Mr. Chief Justice Fuller.

667. Clyde Mattox, Plff in Error, vs. The United States. It is ordered by the Court that leave be given counsel to file further briefs upon the question of the admissibility of the alleged contradictory statements, and the cause will then be taken on re submission to the full bench on briefs, if counsel so indicate.

Per Mr. Chief Justice Fuller.

847 Hiram P. McKnight, Plff in Error, vs. Charles B. Johnson, Defendant in Error. Consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the 17th instant, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

82 F. M. Deland, Appellant, vs. The County of Butte. Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal herein be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

81. N. P. Lloyd, Assignee of E. L. Harper, v. Plaintiff in Error, Hattie A. Matthews and J. A. Allen

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

89. Arthur Sewall v. Plaintiff in Error, Elizabeth C. Hidden, Executrix of Edward L. Hidden, deceased, late Collector of the Port of New York

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and

was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller

37. Frederick H. Muser and Curt Muser, survivors of Richard Muser, deceased, Plffs in Error, v. Daniel Magone, Collector of the Port of New York

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Chief Justice Fuller

12. Edward Byrne, Appellant, v. The United States.

Mr. Solicitor General Maxwell, of counsel for the appellee, submitted to the Consideration of the Court a Motion to fix a day for the argument of this Cause.

1891. The United States, Appellant, vs. Van B. Swanson. This cause was submitted to the consideration of the Court, pursuant to the 24th rule, on the record and printed arguments by Mr. Assistant Attorney General Dodge, of counsel for the appellant, and Mr. George A. Foby, of counsel for the appellee.

692. The United States, Appellant, vs. Johnson Blackfeather. On motion of Mr. Solicitor General Maxwell, leave is hereby granted the Clerk to issue the mandate in this cause.

692. Nathan Marcus, Plff in Err., vs. The United States. Mr. Solicitor General Maxwell, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

631. The Last Chance Mining Company et al., Plffs in Err., vs. The Tyler Mining Company. Mr. Solicitor General Maxwell submitted to the consideration of the Court a motion to advance this cause.

55-2. The United States, Appellant, vs. John M. Allred. This cause was submitted to the consideration of the Court, pursuant to the

Monday, October 12, 1925

on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. Charles H. Russell, of counsel for the appellant, and Mr. Charles C. Lancaster, of counsel for the appellee.

Ex parte: In the matter of Isaac L. Rice, Petitioner. The motion for leave to file a petition for a writ of prohibition and a writ of mandamus was submitted to the consideration of the Court on printed arguments by Mr. Nathan Vidal in support of the same, and Mr. Samuel Dickson and Mr. Thomas Hart, Jr., in opposition thereto.

No. 520. James H. Walker et al., Appellants, vs. Anna L. Brown. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry S. Robbins, in support of the same, and Mr. Nathaniel P. Conway in opposition thereto.

No. 521. F. M. Billing et al., Appellants, vs. James H. Skinner. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals

for the Fifth Circuit was submitted to the consideration of the Court on a printed argument by Mr. W. A. Gunter, in support of the

The Postal Telegraph Cable Co. vs. Alf in Error.
Orig. Hirst Adams, Revenue Agent of the State of Minnesota, } This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. D. Mentlie Mordecai and Mr. P. Phillips, of counsel for the plaintiff in error, and Mr. Marsellus Green, of counsel for the defendant in error.

George H. Folsom, vs. Alf in Error.
674. The Township of Minden Six, in the County of Hibernia, State of South Carolina. } This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John N. Shields, of counsel for the plaintiff in error and Mr. William C. Miller, of counsel for the defendant in error.

The Central Railroad Company of New Jersey vs. Alf in Error.
701. Bernard Keegan. } This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. H. De Forest, of counsel for the plaintiff in error, and Mr. F. P. Vanderpool

Counsel for the defendant in error.

89. The United States, Appellant, vs. The Trans-Missouri Freight Association et al.

Motion of Mr. A. G. Riddle of counsel for the appellee. His motion ordered by the Court that this cause be, and the same is hereby passed, subject to the provisions of section fifteen rule 24.

95. The Texas & Pacific Railway Company, Appellant, vs. The Interstate Transportation Company et al.

This cause was argued by Mr John F. Dillon, of counsel for the appellant, and Mr. George A. King, of counsel for the appellee.

90. The Missouri Pacific Railway Company, Appellant, vs. The State of Nebraska ex rel. The Board of Transportation of the State of Nebraska et al.

Reargument of this cause was commenced by Mr. John F. Dillon, of counsel for the plaintiffs in error and continued by Mr. George N. Hastings, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, December 4th, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John F. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that M. J. O'Donovan, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Frank Warner Angel, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

Monday, December 11th, 1893. Continued

12. Edward Bryne, Appellant, vs. The United States. On consideration of the motion to fix a day for the argument of this cause, it is now here ordered by the Court that this cause be, and the same is hereby, assigned for argument at the foot of the calendar for Monday the 22nd instant.

30. The Missouri Pacific Railway Company, Plff in Error, vs. The State of Nebraska ex rel: The Board of Transportation of the State of Nebraska. The argument of this cause was concluded by Mr. John F. Dillon of Counsel for the plaintiff in error.

97. Josephine P. Hallinan vs. Mary A. Hallinan. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William A. Barnum, of Counsel for the plaintiff in error, and Mr. Charles A. Aldrich, of Counsel for the defendant in error.

100. Jacob Michels, Appellant vs. George P. Olmsted. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John D. Conely, of counsel for the appellant, and Mr. John L. Peal, of counsel for the

Appellee.

Robert P. Swan, Trustee,
vs. Appellant,
John Hill et al.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. A. P. Walton and Mr. A. B. Thomas, of counsel for the appellant. No counsel appeared for the appellees.

Stevenson Burke et al.,
102. vs. Appellants,
The American Loan Co.

This cause was argued by Mr. Stevenson Burke, of counsel for the appellants, and Mr. Benjamin F. Blair, of counsel for the appellees.

Mary White et al.,
103. vs. Appellants, and
Frances M. Joyce, Executrix, and
William John Miller, Executor &c.,
et al.

Mr. William J. Miller, of counsel for the appellees, suggested the death of Frances M. Joyce, Executrix, and Ann Joyce, two of the appellees herein and moved the Court that the cause be proceeded with without making new parties as per stipulation of counsel. Whereupon, It is ordered by the Court that said motion be, and the same is hereby, granted.

Tuesday, December 17th, 1839, Continued

103. Mary White et al., Appellants, vs. William L. Miller, Executor &c. et al.

Argument of this cause was commenced by Mr. Henry Hise & Garnett for appellants and continued by Mr. William L. Miller, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 5th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion it is ordered that Edward P. Seeds, Esquire, of Manchester, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was accordingly so.

Mary White et al.,
vs. Appellants,
William J. Miller, Executor, etc.

The argument of this cause was continued by Mr. William J. Miller, of counsel for the appellees, and concluded by Mr. A. S. Worthington, of counsel for the appellants.

Wednesday, December 8th. 1830. Present

693. William Dunbar } Arrangement of the
vs. } Cause was Condemned
The United States. } ed by M. John A.
Mitchell, of counsel

(for the plaintiff in error.)

(Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, December 6th 1880

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.
Edward D. White,
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf, by Mr. E. B. Whitney it is ordered that John D. Kernan, Esquire, of Forestport, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf, by Mr. M. B. Gerry it is ordered that Mortimer F. Taylor and Earl M. Cranston, Esquires, of Denver, State of Colorado, be admitted to practice as attorneys and counsellors of this Court and they were severally

On motion first made to the Court in this behalf,

Wednesday, December 4th, 1867. [illegible]

T. Noland, Esquire, of St. Louis, State of Missouri, was admitted to practice as an attorney and counsellor of this Court and took the usual oaths accordingly.

6173. William Lindsay vs. Jeff in Error The United States. The argument of this cause was commenced by Mr. Assistant Attorney General Conrad, of counsel for the defendant in error, and concluded by Mr. John A. Mitchell, of counsel for the plaintiff in error.

710. Millie Johnson, alias Millie Creelon, vs. Jeff in Error The United States. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Whitney, of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

711. Francis A. Coffin et al., vs. Jeff in Error The United States. The argument of this cause was commenced by Mr. [illegible] Miller, of counsel for the plaintiff in error and concluded by Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow [illegible]

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray, Associate
David J. Brewer, Justices.
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

No. 106. The Sonneborn Manufacturing Co., et al., Appellants, vs. Kansas City, Appellee. Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause having been called for hearing in due regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th Rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Friday, December 7th, 1894. Continued.

746. Francis A. Coffin et al., vs. The United States. The argument of this cause was continued by Mr. Assistant Attorney General Conrad, of counsel for the defendant in error, and concluded by Mr. Frederick Winter, of counsel for the plaintiffs in error.

747. William A. Moses et al., Administrators &c., vs. The United States. The argument of this cause was commenced by Mr. William H. Mattingly, of counsel for the plaintiffs in error, and continued by Mr. Andrew B. Duvall and Mr. Solicitor General Maxwell, of counsel for the defendant in error, and Mr. [illegible] for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Angelo Billinghurst Headley, Esquire, of Pikeville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was duly sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that George Clark, Esquire, of Waco, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was duly sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Charleston State of South Carolina be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

The United States ex relatione The International Contracting Company, Plff in Error; vs. Daniel S. Lamont, Secretary of the Department of War.

684. In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Mr. Justice White

The Pennsylvania Railroad Company, The Baltimore & Potomac Railroad Company, The Alexandria & Fredericksburg Railway Company, The Alexandria & Washington Railroad Company, Plffs in Error, vs. Thomas H. Jones.

In Error to the Supreme Court of the District of Columbia.

40.

This cause came on to be heard on the

the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in General Term, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is, hereby remanded to the said Supreme Court with directions to set aside the judgment of the Special Term, and to permit the plaintiff to elect to become non-suit as against The Pennsylvania Railroad Company and to take judgment on the verdict against the other defendants only, and, if he does not so elect, then to set aside the verdict and order a new trial generally.

Per Mr. Justice Shiras

The Pennsylvania Railroad Company, The Baltimore & Potomac Railroad Company, The Alexandria & Fredericksburg Railway Company, The Alexandria & Washington Railroad Company and John Cassels, Plffs in Error, vs. Charles T. Stewart. } In Error to the Supreme Court of the District of Columbia.

No. 11.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and

said Supreme Court in General Term, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to set aside the judgment of the special term, and to permit the plaintiff to elect to become non suited as against The Pennsylvania Railroad Company and take judgment on the verdict against the other defendants, and, if he does not so elect, then to set aside the verdict and order a new trial generally.

Per Mr. Justice Gray

145. Frederick Hehrman, Appellant, vs. T. B. Conklin and P. Klein. Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brown

The Lake Superior Ship Canal, Railway & Iron Company, vs. Cleveland Iron Mining Co.

In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

The Lake Superior Ship Canal, Railway & Iron Company, vs. Cleveland Iron Co.

In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Brewer.

51. Michael Donahoe, Plff in Error, vs. The Lake Superior Ship Canal, Railway & Iron Company. In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Brown.

59. Thomas H. Alsop & Frederick Chauncey, Executors of Joseph W. Alsop, deceased, et al., Appellants, vs. Andrew J. Rider. Appeals from the Circuit Court of the United States for the Southern District of New York.

63. Andrew J. Rider, Appellant, vs. Thomas H. Alsop and Frederick Chauncey, Executors of Joseph W. Alsop, deceased, et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel and cross-appeal, and was

Counsel on consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed at the costs of the complainant, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill without prejudice to an action at law.

Per Mr. Justice Harlan.

No. 83. Sophia Chase, Executrix, &c., Appellant, vs. The United States. In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

No. 106. Benjamin A. Crowley, Plaintiff in Error, vs. The Commonwealth of Massachusetts. In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Field and
Mr. Justice Brewer.

Nathan Manees, Plff. in Error, vs. The United States. 647. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is, hereby granted, and the cause assigned for argument on the second Monday of this term.

Per Mr. Chief Justice Fuller.

The Last Chance Mining Company et al., Plffs. in Error, vs. The Tyler Mining Company. 831. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the first Monday of March next, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

No. 502. James A. Walker et al., Appellants, v. Annie L. Brown, Administratrix &c., et al. } On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby granted.

Per Mr. Chief Justice Taft.

No. 519. F. M. Billinger et al., Executors &c., Appellants, v. James N. Gilmore. } On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Taft.

Monday, December 10th, 1894, Continued

George A. Pearce)
vs.) Error to the
596. The State of Texas) Court of Criminal
J. B. Gill & M. Cunningham and) Appeals of the
C. C. Pierson.) State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Criminal Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

The State of South Carolina,)
vs.) The motions to dis-
796. Edward McGrath.) miss or affirm on
) the Grounds
) submitted to the Con-

sideration of the Court on the Record and Printed arguments by Mr. A. H. Aland, in support of the same, and Mr. S. W. Melton, in opposition thereto.

The St. Louis, Iron Mountain & Southern Railway Co., vs. Pfeifer, Error, S. P. Lee, p.

In Error to the Supreme Court of the State of Arkansas.

This cause having been called to the attention of the Court by Mr. John F. Dillon, of counsel for the plaintiff in error, and he having moved the Court to dismiss the cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

203 James Gilfillan et al., Appellants, vs. Henry C. McRee et al.

The motion for an order authorizing and directing the Clerk of this Court to waive and remit his charge for the supervision of the printing of the record in this case and in case No. 291 was submitted to the consideration of the Court by Mr. A. B. Duvall, of counsel for the appellants in No. 203, and Mr. Addison Cutler, of counsel for the appellant in No. 291, in support of the same, and by Mr. Enoch Totten, Mr. Reginald Fendall, Mr. J. J. Henkle, and Mr. Nathaniel Wilson, in opposition thereto.

The motion for an order requiring the appellants to pay within ten days to the Clerk the estimated amount of his fees, or that the appeals be dismissed for want of prosecution, was submitted to the consideration of the Court by Mr. Enoch

Monday, December 10th, 1894, Continued

Tolten, Mr. Reginald Tindall, Mr. J. S. Henkle and Mr. Nathaniel Wilson, in support of the same, and leave was granted Mr. A. B. Duvall and Mr. Colden to state & file a brief in opposition thereto.

The Cleveland, Cincinnati, Chicago & St. Louis Railway Co., Appellant,
797. vs.
Millard F. Brown. Appellee.

Mr. J. C. Clarke of counsel for the defendant in error submitted to the consideration of the Court a motion to affirm the cause.

The United States, Complainant,
4, Original. vs.
The State of Illinois.

The motion to re-assign this cause for argument before a full bench was argued by Mr. A. T. Garland in support of the same, and Mr. Edgar Allan, in opposition thereto. Whereupon, It is now here ordered by the Court that this cause be and the same is, hereby, re-assigned for argument on the first Monday of March next, after the cause heretofore assigned for that day.

George E. Beltnap et al., Appellants,
165. vs.
George F. Sparks,

The motion for an order requiring the appellants to furnish security for damages and costs, or for costs, on this appeal or that this appeal be dismissed,

Submitted to the consideration of the Court on printed arguments by Mr. L. T. Michener, Mr. W. W. Dudley, Mr. M. M. Estee and Mr. J. H. Miller, in support of the same, and Mr. Solicitor General Maxwell, in opposition thereto.

Clyde Mallory
266. vs. Appeal from
The United States

This cause was re-submitted to the consideration of the Court on the record and printed arguments by Mr. L. T. Michener, Mr. W. W. Dudley, Mr. Charles A. Peddick and Mr. A. S. Browne, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendants in error.

Mrs. A. F. Lipperley et al,
68. vs. Appellants,
John O. Smith et al.

Mr. G. A. Jones, of counsel for the appellants, submitted to the consideration of the Court a motion for an order granting the Clerk leave, to issue the mandate in this cause.

Martha E. Bobb et al,
267. vs. Appeal from
Dorsey A. Jamison, Admr. &c,
et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. T. J. Rowe, in support of the same, and Mr.

Monday, December 10th 1849. [illegible]

Daniel Denton, alias
William Newby
698. vs. Writ of Error
The United States.

To Error to the District Court of the United States for the Southern District of [illegible]

This cause having been called for hearing in its regular order, and it appearing to the Court, that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice. [illegible]

George Andrews,
710. vs. Appellant
Benjamin Howard, Sheriff &c

The motion to advance this cause, was submitted to the consideration of the Court by Mr. H. A. Stuyker, in support of the same, and Mr. George M. Shipman, in opposition thereto

William A. Moses et al,
Administrators &c
747. vs. Writs in Error,
The United States.

The argument of this cause was concluded by Mr. H. L. Cole, of Counsel for the plaintiffs in error.

765. Thomas Westmoreland, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. C. L. Herbert, of Counsel for the plaintiff in error, and leave was granted Counsel for the defendant to file a printed argument on or before Friday next.

Stephen Knight et al, Plffs in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record, and a printed argument by Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error. No Counsel appeared for the plaintiffs in error.

591 James Connors, Plff in Error, vs. The United States. This cause was argued by Mr. M. B. Gerry, of Counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of Counsel for the defendant in error.

The Texas & Pacific Railway Co., Appellant, vs. The Interstate Commerce Commission. The argument of this cause was commenced by Mr. John F. Dillon, of Counsel for the appellant.

And the further hearing of the cause being postponed, the Court is adjourned until

Tuesday, December 11th, 1888

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. W. Holcomb it is ordered that Charles E. Everette, Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

108. The Texas & Pacific Railway Company, Plaintiff in Error, vs. Jennie L. Gay. In Error to the Supreme Court of the State of Texas.

This cause having been called to the attention of the Court by Mr. John F. Dillon, of counsel for the plaintiff in error, and the hearing

the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr Chief Justice Fuller.

110 The Texas & Pacific Railway Co. et al., Plffs in Error, vs. A. McElroy. On motion of Mr John F. Dillon, of Counsel for the plaintiffs in error, it is ordered by the Court that these causes be and they are hereby passed for settlement.

111 The Texas & Pacific Railway Co., Plffs in Error, vs. A. Nelson.

631 The Texas & Pacific Railway Co., Appellant, vs. The Interstate Commerce Commission. Rearguments of this cause was continued by Mr. John F. Dillon, of Counsel for the appellant and Mr. John D. Kernan and Mr. Simon Sterne, of Counsel for the appellee, and concluded by Mr. John F. Dillon, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, December 12th, 18

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Knight, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened,

No. 814. George M. MacDonald et al. vs. The United States. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Hiram P. McKnight,
111. vs. Plaintiff in Error,
Charles C. Jones, Executor &c.

Ordered by the Court that the petition for a writ of habeas corpus herein be, and the same is hereby, denied.

See Mr. Chief Justice Fuller.

The Southern Pacific Railroad Co.
115. vs. Appellant,
Samuel McCutcheon,
and
The Southern Pacific Railroad Co.
116. vs. Appellant,
Joseph W. Graham et al

On motion of Mr. J. Hubley Ashton, of Counsel for the appellant, It is ordered by the Court that these cases be, and the same are, hereby, passed, subject to the provisions of section 9 of Rule 26

Henry Beutell,
118 vs. Plaintiff in Error,
Daniel Murphy, Collector &c.

On motion of Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, It is ordered by the Court that the cause and the same is hereby, passed, subject to the provisions of section 9 of Rule 26

E. Nalle & Co.,
119. vs. Appellants,
Wade H. Harris et al

On motion of Mr. E. J. Baldwin, of Counsel for the appellants, It is ordered by the Court that the cause be and the same is hereby passed, subject

104. Thomas R. McGehan et al., vs. The National Bank of Newburgh, Appellants. This cause was argued by Mr. J. H. Nathan, of counsel for the appellants, and Mr. Theodore G. Banks, of counsel for the appellee.

105. Samuel Lazarus, vs. John J. Phelps et al., Defendants in Error. This cause was argued by Mr. F. A. Bill, of counsel for the plaintiff in error, and Mr. Leigh Robinson, of counsel for the defendants in error.

107. James Henderson et al., vs. Morgan Schuyler, Appellants. Reargument of this cause was commenced by Mr. George Putnam, of counsel for the appellants.

Proclamation being made, the Court adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D White
Associate Justices.

John M. Wright Esquire Marshal,
James H McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. George A. Howard it is ordered that Emery A. Norcross and Robert Mather Esquires, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

The Market St. Cable Railway Company, Plff in Error, vs. D. N. Hawley. No 61

This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. Harvey D. Brown and Mr. William A. Booth, of counsel for the Plaintiff in error, and Mr. John C. Miller and

Thursday, December 8th, 1859. Continued

Mr. John L. Boone, of counsel for the appellant in error.

Elijah B. Sherman,)
vs. Appellant,
The United States

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed argument by Mr. Charles A. Ulrich and Mr. Charles H. Needham, of counsel for the appellant, and Mr. Assistant Attorney General Dodge and Mr. Samuel A. Salomon, of counsel for the appellee.

James Anderson et al.,
vs. Appellants,
Mayor &c. of Savannah.

Reargument of this cause was continued by Mr. George Putnam, of counsel for the appellants, and Mr. Attorney Mr. Rogers, of counsel for the appellee, and concluded by Mr. George Putnam, of counsel for the appellants.

Edward Dyer,)
vs. Appellant,
The United States

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Assistant Attorney General Dodge and Mr. Charles G. Bowen, of counsel for the appellee. No brief was filed by counsel for the appellant.

55. Catherine Goldey, vs. The Morning News of New Haven. This cause was argued, by Mr. Henry B. Stapler, of counsel for the defendant in error, and submitted on a printed argument by Mr. M. L. Sowers, of counsel for the plaintiff in error.

109. William McCabe, vs. John O. Meacham. Appellant. This cause was argued, by Mr. Henry Wise Garnett, of counsel for the appellant, and submitted on a printed argument by Mr. R. Bisbee, of counsel for the appellee.

113. The National Bank of London of New York, vs. David A. Smith, Appellant. This cause was argued by Mr. Meador, E. Waite, of counsel, for the appellant, and Mr. Henry A. M. Smith, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, December 14th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John G. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr. W. A. DeWitt it is ordered that Frank Spurlock, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Samuel J. Elder, Esquire, of Winchester, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court by Mr.

half by Mr. J. Hubley, Ashton it is ordered that James
S. Leach Esquire of Boston, State of Massachusetts,
and Thomas A. Jenckes, Esquire, of Providence,
State of Rhode Island, be admitted to practice as
attorneys and counsellors of this Court and they
were sworn accordingly.

On motion first made to the Court in this behalf by
Mr. W. G. Silvertorn it is ordered that F. C. Ryan,
Esquire, of Wausau, State of Wisconsin, be ad-
mitted to practice as an attorney and counsellor
of this Court and he was sworn accordingly.

The United States et al.,
vs. Appellants,
Charles Journeycake, Prin-
cipal Chief of the Delaware
Indians.

On motion of Mr. T.
C. Fletcher, of counsel for the appellee,
leave is hereby grant-
ed the Court to issue
the mandate in
this cause.

Oct.

The Board of County Com-
missioners of the County of
Jackson et al.,
vs. Appellants.
The Metropolitan Trust Co. of
New York et al.

Appeal from the
Circuit Court of
the United States
for the District of
Kansas.

1127

This cause having been called for hearing in its
regular order, and it appearing to the Court that
the parties have failed to print the transcript of

the record, It is, therefore, in pursuance of the 16th rule of this Court now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

120. E. S. Ernest, Pltff in Error, vs. The State of Missouri. This cause was argued by Mr. Lawrence Maxwell, Jr., and Mr. W. N. Taylor, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. A. St. Clair Adams, of counsel for the defendant in error.

121. The East Lake Land Co., Pltff in Error, vs. Hazard B. Rogers. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Morgan, of counsel for the plaintiff in error, and Mr. D. C. Beaton, of counsel for the defendant in error.

178. The United States, Appellant, vs. The Bedan Fire Arms Manufacturing Co. On motion of Mr. Solicitor General Maxwell, It is ordered by the Court that this cause be passed until Mr. Fox is ready with the end of the record.

William A. Sweet et al.,
vs. Effingham Circ.

This cause was argued by Mr. Thomas A. Jenkes, of counsel for the plaintiffs in error and Mr. Samuel L. Eliot, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Monday, December 17th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John T. M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court announced ...

On motion first made to the Court in this behalf, by Mr. D. C. Fletcher it is ordered that B. N. Baker, Esquire, of Montague, State of ... admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Hatch it is ordered that James Perry Wood, Esquire, of New London, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Stephens Hart it is ordered that [illegible]

Squire and Virgil P. Kline, Esquires, of Cleveland State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by M. J. C. Coombs it is ordered that M. A. Boutell, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by [illegible] George A. Black it is ordered that J. Parker Whalen, Esquire of Medicine Hat, be admitted, to practice as an attorney and Counsellor of, this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. M. Stoddart it is ordered that James, M. Henderson, Esquire, of Dover, State of New Hampshire, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Low it is ordered that Peter, J. Somers, Esquire, of Milwaukee, State of Wisconsin be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

Monday December 17th. 1883. Continued

The United States,
484. vs. Appellant
Van B. Garnison.

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to render judgment for the United States.

Per Mr. Justice Woods

George T. Dick,
vs. Appellant.
85. Joseph S. Brown et al

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Woods

531. Ira P. Potter, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Brown

709. The Postal Telegraph Cable Company, Plff in Error, vs. The State of Alabama. In Error to the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed at the cost of the plaintiff in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to

remanded to the State Court.

Per Mr. Justice Gray.

379. Royal Ingraham vs. The United States. In Error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

The Chief Justice announced that the Court would adjourn on Friday the 21st instant until Monday, January 7th, 1895.

203. James Gilfillan et al., Appellants, vs. Henry E. McKee et al. On consideration of the motion of counsel for appellants in this case and in case No. 291 for an order authorizing and directing the Clerk of this Court to waive and remit his charge for the supervision of the printing of the record, and the motion of counsel for the appellees for an order requiring the appellants to pay

within ten days to the Clerk of this Court the estimated amount of his fees, & that the appeals be dismissed for the want of prosecution, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Fuller

688. Mrs. A. F. Lipperty et al., Appellants, vs. John O'Brien et al

On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

710. George Andrews, Appellant, vs. Benjamin Wood, Sheriff

On consideration of the motion to advance this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Monday, December 7th, 1891. Continued.

127. The Cleveland, Cincinnati, Chicago & St. Louis Railway Co., vs. Plff in Error, Millard F. Sherman

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced, as under the 32d Rule, to be submitted on printed briefs.

Per Mr. Chief Justice Fuller.

30. The Missouri Pacific Railway Company, vs. Plff in Error, The State of Nebraska ex rel: The Board of Transportation of the State of Nebraska

It is ordered by the Court that this cause be, and the same is hereby ordered to the docket for argument before a full bench.

Per Mr. Chief Justice Fuller.

103. Mary White et al., vs. Appellants, William J. Miller, Executor, et al.

It is ordered by the Court that counsel in this cause be, and they are hereby, granted leave to file briefs herein within ten days on the question of the jurisdiction of this Court.

Per Mr. Chief Justice Fuller.

165. George S. Bolknap et al. Appellants. v. George A. Ashe et al.

On consideration of the motion for an order requiring the appellants to give new security for damages and costs, or for costs, on this appeal, or that the appeal be dismissed, and of the arguments of counsel thereupon had, as well in support as against the same, It is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Waite.

167. Martha E. Bobb, Charles Bobb, Henry C. Bryot et al., v. Hosea Morgan, Doreas A. Jamison, Administratrix of the estate of Charles Bobb deceased, and John H. Bobb

On Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Waite.

Monday December 9th, 1895. Continued

121. The East Lake Land Company, Plff in Error, vs. Isaiah C. Brown. In Error to the Circuit Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to remand it to the City Court of Birmingham, County of Jefferson, Alabama.

Per Mr. Chief Justice Fuller

William N. Moses, Harry C. Moses and Arthur C. Moses, Administrators of William B. Moses, deceased, Plff in Error, vs. The United States. In Error to the Court of Appeals of the District of Columbia.

717.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered

and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed.

Edward Byrne,
vs. Appellant,
The United States.
12. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed, pursuant to the 16th Rule.

Per Mr. Chief Justice Waite.

Ex parte, In the matter of
Oliver L. Rice.
Petitioner.

On consideration of the motion for leave to file a petition for a writ of Prohibition and a writ of mandamus herein and of the argument of Counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Waite.

Monday, December 15th, 1890. Continued

No. Laurette Estelle Horne, Administratrix of Granville P. Horne, deceased, Plff in Error, vs. The George A. Hammond Company. In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged, by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed at the costs of the plaintiff in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Chief Justice Fuller

No. 101. Robert P. Swan, Trustee, vs. John Hill et al. Appellants, A. D. Wilt, Jr. & Curtis and Thomas Thomas. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme

Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

Florine A. Austin, Administratrix of Sterling P. Austin, deceased, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

James A. Linford Jr., Appellant, vs. Sherwin P. Ellison. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan.

Monday, December 17th, 1894. Continued.

Charlotte Ewer,
796. vs. Writ of Error.
The People of the State of New York.

Mr. Eldridge P. Gerould in behalf of counsel, for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

Samuel Mather et al.,
824. vs. Writ of Error.
Richard Rillston.

On motion of Mr. George F. Edmunds, in behalf of counsel for the plaintiffs in error,

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7 of Rule 24.

The Cincinnati, New Orleans & Texas Pacific Railway Co. et al.,
vs. Appellants.
794. The Interstate Commerce Commission.
And
The Interstate Commerce Commission,
832. vs. Appellant,
The Cincinnati, New Orleans & Texas Pacific Railway Co. et al.

On motion of Mr. George F. Edmunds, counsel for the Interstate Commerce Commission, It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the first Monday of January next, after the cases heretofore assigned for that day.

George A. Eddy & H. C. Cross,
Receivers of The Missouri Kansas
& Texas Railway Company,
vs. Appellants,
587. Annie Kohlsaat

Mr. James Hageman, of counsel, suggested the deaths of George A. Eddy and H. C. Cross and the appointment of Henry C. Rouse as their successor as Receiver, and moved the Court to make the said Henry C. Rouse, as such Receiver, the party appellant in this cause. Whereupon, it is now here ordered by the Court, that Henry C. Rouse, Receiver of The Missouri, Kansas & Texas Railway Company, be, and he is hereby, made the party appellant in this cause.

Henry C. Rouse, Receiver &c.,
vs. Appellant
582. Annie Kohlsaat

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. James P. Wood, in support of the same, and Mr. James Hageman and Mr. George P. B. Jackson, in opposition thereto.

The United States,
vs. Appellant,
708. Benjamin Kelly

Mr. Solicitor General Maxwell, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Monday, December 17th, 1894. Continued.

517. Mary P. Greely, Executrix, &c., Appellant, vs. [illegible] Respondent.

Mr. W. D. King, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion for an order granting the Clerk leave to issue the mandate in this cause.

Original. The State of California, Complainant, vs. Southern Pacific Company.

On motion of Mr. Harvey S. Brown, of counsel for the defendant, It is ordered by the Court that two hours and forty minutes each be allowed to counsel for the complainant and defendant and the City of Oakland respectively in the argument of this case and that three counsel be allowed to argue the case on behalf of the defendant.

526. Clementine Ulman, by her husband next friend Alfred J. Ulman, vs. Kelly in Error, The Mayor & City Council of Baltimore et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. P. L. Hayes and Mr. W. A. Logan, Jr., in support of the same, and Mr. M. R. Walter, in opposition thereto.

1911. Hugh Young et al., Appellants, vs. Emanuel Foenster et al. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is, hereby, dismissed with costs.

(per Mr. Chief Justice Fuller.)

Ex parte: In the matter of The New York & Porto Rico Steamship Company, Petitioner. & Original.

This case was argued by Mr. George A. Black, of counsel for the petitioner, and Mr. J. Parker Kirlin, of counsel for the respondent.

1914. D. E. Roberts et al., vs. The Northern Pacific Railroad Company, Appellants.

The argument of this cause was commenced by Mr. William F. Vilas, of counsel for the appellants.

(Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.)

Tuesday, December 18th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. C. Calhoun it is ordered that Thomas L. Waters, Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

On motion first made to the Court in this behalf, by Mr. Reese H. Voorhees it is ordered that John Barnes, Esquire, of Rhinelander, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

On motion first made to the Court in this behalf by Mr. F. W. Lehmann it is ordered that Henry

Roberson, Esquire, of Mexico, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly so

671. The United States and The Cherokee Nation, Appellants, v. Johnson Bloxsom [illegible] Principal Chief [illegible]

Mr Charles Brownell, of counsel for the appellee, submitted to the consideration of the Court a stipulation of counsel that the judgment herein be reformed, and the mandate issued. [illegible]

1914. D. E. Roberts et al., Appellants, v. The Northern Pacific Railway Company [illegible]

Reargument of this cause was continued, by Mr. A. H. Garland and Mr. James McNaught, of counsel for the appellee, and concluded by Mr. W. F. Vilas, of counsel for the appellants.

125. The United States ex rel. Henry Siegel, Plaintiff in Error, v. The Thomas Comstock Co.

This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed arguments within fifteen days.

129. Eliza Cooper et al. v. Stewart & Newell. This cause was submitted to the Court on the record and printed arguments by Mr. F. Charles Nimmo, of counsel for the plaintiffs in error, and Mr. A. H. Garland and Mr. John Sherman, of counsel for the defendants in error.

131. The United States, v. Allyn Cox. The Western Union Telegraph Company, etc. This cause was argued by Mr. Solicitor General Maxwell, of counsel for the plaintiff in error, and Mr. Rush Bigelow, of counsel for the defendants in error.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December 19th, 1894.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable: Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer.
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George A. Howard it is ordered that George D. Peyson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that William H. Treeley, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Hall
vs. Error.
Dick Pinto

Mr. George Robertson, of Counsel for the defendant in error, suggested the

death of Bird Ringo, the defendant in error, and moved the Court to make R. H. Lawder and Rosa Ringo, Administrators of the estate of Bird Ringo, the parties defendants in error. Whereupon, It is now hereunder ordered by the Court that the said R. H. Lawder and Rosa Ringo, Administrators of Bird Ringo, deceased, be and they are hereby, made the parties defendants in error in this cause.

Not. Henry Hineman, Jr., Appellant, vs. The Steamer Iron Chief &c.

The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit was presented to the Court and submitted by Mr. Harvey D. Goulder, in support of the same, and Mr. N. Summers, in opposition thereto.

32. R. A. Lindsay, Assessor, etal., Appts &c. (Plffs in Error), vs. The First National Bank of Shreveport, etal.

This cause was argued by Mr. H. W. Howe, of counsel for the appellants and plaintiffs in error, and submitted on a printed argument by Mr. A. H. Leonard, of counsel for the appellees and defendants in error.

The Texas & Pacific Railway Co.,
132. vs. Plff in Error.
Robert H. Smith, et al.

This cause was argued by Mr. W. W. Howe of counsel for the plaintiff in error, and submitted on printed arguments by Mr. John F. Dillon and Mr. Winslow S. Pierce of counsel for the plaintiff in error, and, Mr. A. H. Leonard of counsel for the defendants in error.

Henry Deutell
113. vs. Plff in Error.
Daniel Dugan, Collector &c.

This cause was argued by Mr. Edwin B. Smith, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Maury of counsel for the defendant in error.

Hiram P. McKnight,
111. vs. Plff in Error,
Charles C. James, Trustee &c.

This cause was argued by Mr. J. K. Richards, of counsel for the defendant in error, and submitted on a printed argument by the plaintiff in error in person.

The State of California,
7 Original. vs. Complainant,
Southern Pacific Company.

The argument of this cause was commenced by Mr. H. H. Hart, of counsel for the complainant, and continued by Mr. William M. Stewart, of counsel for the defendant.

Proclamation being made the Court is adjourned until to-

Thursday, December 10th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
Lucien H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. L. Rawlins it is ordered that D. Howell Jobes Esquire of Ogden, Iowa, be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

No. 1. The New Orleans City & Lake R.R. Co., Plff in Error,
vs.
The State of Louisiana ex rel: The City of New Orleans.

No. 33. The City of New Orleans, Appellant,
vs.
The Louisville & Nashville R.R. Co. et al.

Ordered by the Court that these causes be placed at the foot of the calls for Mon-

and

69. Jerome F. Manning, Appellant, vs. Irvine S. McLaren, and Special Administrator &c

day January 28th

The State of California, Complainant, vs. Pioneer Steamship Company, Defendant.

Original.

Argument of this cause was continued by Mr. William M. Stewart and Mr. J. Hubley Ashton, of counsel for the defendant, and Mr. John J. Miller and Mr. W. H. Davis, of counsel for the City of Oakland.

(Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, December 21st. 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court convened.

On motion first made to the Court in this behalf, by Mr. John K. Cowen it is ordered that William H. Cochran, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. A. De Armond it is ordered that Henry Workman, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. Solicitor General Maxwell it is ordered

that Joshua A. Salmon, Esquire, of Morristown, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C.B. Kilgore it is ordered that J.M. Long, Esquire, of Ukiah, State of [illegible] be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Elizabeth Abraham et al, vs. Appellants. Harriet Ordway. 271.

M. W. L. Cole, in behalf of counsel for the appellee, suggested the death of Harriet Ordway, the appellee herein, and moved the Court to make Frederick E. Ordway, Mary Elizabeth Ordway and Ellen Preston, devisees of the said Harriet Ordway, the parties appellees in this cause. Whereupon, It is now here ordered by the Court that the said Frederick E. Ordway, Mary Elizabeth Ordway and Ellen Preston, devisees of Harriet Ordway deceased be, and they are hereby, made the parties appellees in this cause.

The State of California, Complainant, vs. Southern Pacific Company, Defendant.

The argument of this cause was continued by Mr. H. R. Davis, of counsel, [illegible]

of Counsel for the defendant, and concluded by Mr. H. H. A. Hart, of counsel for the Complainant.

Proclamation being made the Court was adjourned until Monday January 7th, 1895, at eleven o'clock

Monday January 7th 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices.

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. Clarke it is ordered that Albert M. Williams Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther R. Smith it is ordered that Evan D. Price Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] it is ordered that Edward B. Peirce, Esquire, of Van Buren, State of Arkansas, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that John W. Happer and Alexander E. Warner, Esquires of Portsmouth, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. E. Olmsted it is ordered that Charles H. Perry, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that William Vincent Allen, Esquire, of Madison, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

R. B. Hooper,
vs. In Error to the Superior
The People of the State of Court of the City & County of
California, San Francisco, State of
California.

This cause came on to be heard on the transcript of the record from the Superior Court of the City & County of San Francisco, State of California,

was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brown,
Mr. Justice Jackson.

William Coupe and Edwin A. Coupe, Copartners under the firm of Coupe & Company, Plaintiffs in Error, vs. Herman Royer and Louis Roy. In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

Per Mr. Justice Shiras.

165. The Texas & Pacific Railway Company, Appellant, vs. The Interstate Transportation Company. — Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause dismissing the bill without prejudice generally, and, as so amended, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Matthews.

161. The Market Street Cable Railway Company, Plaintiff in Error, vs. B. N. Rowley. — In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same

hereby remanded to the said Circuit Court with direction to set aside the verdict and grant a new trial.

Per Mr. Justice Clifford.

Dissenting
Mr. Justice Grier.

Andrew Speake, surviving partner of the firm of Samuel C. Davis & Co. and Edward Jeffray, James Jeffray, William Jeffray & James M. Baker, doing business under the firm name and style of S. Jeffray & Co.,

vs. Appellants,

John M. Schwartz et al.

Appeal from the Circuit Court of the United States for the Southern District of Texas.

This cause came on to be heard on the transcript of record from the Circuit Court of the United States for the Southern District of Texas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal as to the appellee, Frank B. Kent, be and the same is hereby dismissed for the want of jurisdiction, and as to the other appellees that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Grier.

Monday, January [illegible]

87 Christopher C. Campbell, Appellant, vs. The City of Worcester, Appellee. } In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

91 C. & A. Potts & Co., Appellants, vs. Frank H. Creager, Henry M. Creager and Jonathan Creager. } Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice [illegible]

The United States
vs. Appellants
John M. Allred.

Appeal from the Court of Claims.

559.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brown.

Thomas Westmoreland
vs. Appellee
The United States

In Error to the Circuit Court of the United States for the Eastern District of Texas.

765.

This cause came on to be heard on the transcript of record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brown.

William McCabe,
vs. Appellant
John O. Matthews.

Appeal from the Circuit Court of the United States for the Northern District of Florida.

1067.

This cause came on to be heard on the transcript

Monday, January 7th, 1895. Gentlemen

of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Brewer.)

109. Stevenson Burke and Charles H. Hickox, Administrators of Charles Hickox, deceased, Appellants, vs. The American Loan & Trust Company. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decrees of the said Circuit Court in this cause be, and the same are hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Brown took no part in the decision of this case.)

The Old National Bank of Evansville, Indiana, } In Error to the Cir-
vs. } cuit Court of the
The Evansville Gas & } United States for
Electric Light Co. } the District of In-
diana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof it is ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that prevails by law on judgments rendered in the Courts of the State of Indiana.

Per Mr. Justice Brewer.

William A. Moses et al., Administrators &c. } On consideration
vs. } of the petition for a
The United States. } rehearing herein,
No. 7 } It is now here or-
dered by the Court
that said petition be, and the same is hereby,
denied, and the cause restored to the docket
with leave to counsel to file additional briefs
on the question of the effect of the alleged settle-
ment on the liability of the sureties or other-
wise of the bond sued on to reinstate the cau-

Per Mr. Chief Justice Fuller.

The United States
vs. Appellant,
Benjamin Wells.

On consideration of the motion to advance this cause, Mr. [illegible], it is now hereby ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument on the second Monday of the next term after the causes heretofore assigned for that day, & it will be taken on printed briefs at any time before the first Monday of March next.

Per Mr. Chief Justice [illegible]

726.

Charlotte Ewen,
vs. Appellant,
The People of the State of New York.

On consideration of the motion to advance this cause, it is now hereby ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument on the second Monday of the next term after the causes heretofore assigned for that day, & it will be taken on printed briefs at any time before the first Monday of March next.

Per Mr. Chief Justice [illegible]

727.

Clementine Ulman, by her husband and next friend Alfred J. Ulman,
vs. Appellant,
The Mayor &c of the City Council of Brooklyn.

Dismissed by the Court with the fourth [illegible]

dismissed or affirm in this cause be, and the same is hereby, postponed to the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

671. The United States and the Cherokee Nation, Appellants, vs. Johnson Blevins, Principal Chief, &c.

On consideration of the stipulation of counsel that the judgment herein be reformed and the mandate issued thereon, It is now here ordered by the court that leave be, and the same is hereby, granted the United States and the mandate in this cause and leave is given to apply to the Court of Claims for a reformation of the judgment in accordance with the stipulation aforesaid.

Per Mr. Chief Justice Fuller.

Nott Henry Steneman, Jr., Appellant, vs. The Steneman Iron Works.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday January 7th, 1895, Continued (5)

James Conrad
vs. Affirmed
The United States

It is ordered by the Court that this cause be, and the same is, hereby, restored to the docket with leave to counsel to re-submit same on printed briefs before a full Court, and to file additional briefs next week in ten days if desired.

Per Mr. Chief Justice Fuller

199

Eliza Cooper, E. P. Cooper and Fannie Westrope,
vs. Affirmed
Stewart Westrope

In Error to the Circuit Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Chief Justice Fuller

The State of Indiana, Walter Stanton, Trustee, &c. vs. Hiram Glover, James P. Glover, Milan Moore, Thomas Dr. Winn and Daniel F. Grissom.

In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

The State of South Carolina vs. Edward B. Wesley.

In Error to the Circuit Court of the United States for the District of South Carolina.

796.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Monday, January 7th, 1895. Conference

Ex parte: In the matter of, The New York & Porto Rico Steamship Company. Petitioner. On consideration of the petition for writ of prohibition and the return to the rule to show cause, and the argument of counsel thereupon had, It is now ordered by the Court that said petition be, and the same, is hereby, denied.

Per Mr. Chief Justice

138. Thomas Bardon, vs. Appellant, The Land & River Improvement Co. On motion of Mr. H. F. Vilas, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed on account of absence of counsel, subject to the provisions of section 9 of Rule 6.

119. The Sioux City & St. Paul Railroad Company, vs. Appellant, The United States. On motion of Mr. Solicitor General Maxwell, It is ordered by the Court that this cause be, and the same is hereby, passed until No. 214 is reached in the call of the docket.

785 Joel B. Eldredge, Collector &c, vs. Hoffman & Brother, Josephine W. Chapperon, Claimant. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney.

716. J. L. Stokes et al. Plff in Error, vs. The United States.
755. James A. Reagan, Plff in Error, vs. The United States.
760. Lewis E. Slater, Plff in Error, vs. The United States.
857. Wm. Downing &c, Plff in Error, vs. The United States.
863. John Brown, Plff in Error vs. The United States.
871. M. L. Johnson, Captain &c, Appt, vs. David A. Boyer.

Mr. Solicitor General Maxwell submitted to the consideration of the Court motions to advance these cases.

Ex parte: In the matter of Lafayette Hudson, Petitioner. On motion of Mr. A. H. Garland, of counsel for the petitioner, leave is hereby granted him to file a demurrer to the

Monday, January [illegible]

Ex parte: In the matter of La Fayette Hudson, (Petitioner.)

This case was submitted to the consideration of the Court on printed arguments by Mr. A. N. Garland and Mr. H. M. Cravens of counsel for the petitioner, and Mr. Solicitor General Phillips of counsel for the respondent, and the respondent in person. (personal)

504. (P. A. Epperson, vs. (Affirmed Error
Carter Brothers & Co.

Mr. N. H. Upton, of counsel, suggested the death of P. A. Epperson, the plaintiff in error herein, and moved the Court to order A. C. Epperson, Administrator of P. A. Epperson, deceased, the party Plaintiff. Whereupon, It is now here ordered by the Court that the said A. C. Epperson Administrator of P. A. Epperson, deceased, be, and he is hereby made the party plaintiff in error in this cause.

581. W. P. Sayward, Nathan Bucklin et al, vs. (Affirmed Error,
Thomas Nunan, Alexander Maitland et al.)

Mr. Edward B. Whitney, of counsel for the defendants in error, having filed in open Court the following certificate.

to wit:

"State of Washington, ss.

J. C. S. Reinhart, Clerk of the District

Court of the State of Washington, do hereby certify that in a certain cause pending in said Court wherein W. P. Hayward, Nathan Bierlin, H. G. Mercer, G. W. Gillette and George J. Willey were plaintiffs and appellants, and W. H. Mayer and C. Mayer were defendants, and Thomas Nunan, Alexander Maitland, W. J. Wallin and James A. Gowey, Sheriff, were defendants and respondents, a judgment was duly rendered and entered on June 26th, 1894, in favor of said respondents dismissing said appeal, affirming a judgment theretofore rendered in favor of said respondents against said appellants in the Superior Court of the State of Washington; that on August 20th, 1894, the said appellants as plaintiffs in error sued out a writ of error to the Supreme Court of the United States from said judgment of the Supreme Court of Washington, and that said writ was issued in accordance and signed by the Chief Justice of said Supreme Court of Washington on the 20th day of August 1894, returnable within sixty days from the date thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Supreme Court at my office in Olympia in said State of Washington, this 31st day of December, 1894.

C. J. Reinhart, Clerk

Monday January 7th, 1895. Continued.

dant to the 9th rule; and it appearing to the Court that the Plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Washington be, and the same is hereby dismissed and dismissed with costs; and that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

The Delaware & Hudson Canal Co.
vs. } In Error,
The Commonwealth of, Pennsylvania.
453.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. M. E. Olmsted of counsel for the plaintiff in error, and Mr. H. H. Atwell and Mr. J. F. Shanahan, of counsel for the defendant in error.

Joseph A. Davidson,
vs. } In Error,
The Mexican National R. R. Co.
476.

Mr. Frederic D. McKenney in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause for oral argument.

The Mexican National R.R. Co.,
vs. Appellant,
Joseph A. Settlemier

Mr. Joseph A. Clark, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause for early argument.

Moylan C. Fox, Executor &c.,
vs. Appellant,
Henry C. Hanselick

This cause was submitted to the Consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. C. C. Bennett and Mr. J. A. Marshall, of counsel for the appellant, and Mr. Dixon, Campbell, Mr. W. J. Richards and Mr. Archer, Brown, of counsel for the appellee.

James L. Shields, Jr. Receiver &c.,
vs. Appellant,
John Coleman et al.

This cause was submitted to the Consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. H. C. May, Mr. Lidia H. Cornick, and Mr. L. H. Shields, of counsel for the appellant, and Mr. W. N. Bagnell, of counsel for the appellee.

135. The Sudan Fire Arms Manufacturing Co., Appellant vs. The United States.

And

198. The United States, Appellant vs. The Sudan Fire Arms Manufacturing Co.

The arguments of these cases was commenced by Mr. Assistant Attorney General Conrad, of counsel for the United States, and continued by Mr. George L. Boutwell and Mr. Joseph H. Choate, of counsel for The Sudan Fire Arms Manufacturing Company, and Mr. Assistant Attorney General Conrad, of counsel for the United States.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. C. B. Rogers, it is ordered that William F. Thompson and H. H. Hastings, Esquires, of Tallahassee, Indian Territory, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

135. The Boston Fire Arms Manufg Co., Appellant,
vs.
The United States.

And

The United States, Appellant
vs.
The Boston Fire Arms Manufg Co.

The argument of these cases was concluded by Mr. Assistant Attorney General Conrad, of Counsel for the United States.

136. The F. O. Matthiessen & Wiechers Sugar Refining Co. vs. Appellant. The Steamships Ludwig Holberg &c. et al. This cause was argued by Mr. George A. Black of counsel for the appellant, and Mr. Harrington Putnam of counsel for the appellees.

137. Cyrus F. Palmer, vs. Appellant. The Village of Corning. Reargument of this cause was commenced by Mr. E. H. Risley of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Wednesday, January 9th 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray Associate
David J. Brewer Justices
Henry B. Brown
George Shiras Jr.
Edward D. White

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. H. L. Shipman it is ordered that Charles C. Marshall Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Snowden it is ordered that N. C. VanDoorhis, Esquire, of Zanesville, and J. A. Bromwell Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they severally

Wednesday, January 7th, 1907. [illegible]

52. Jerome F. Manning, Appellant, vs. Irvine L. McLaurin, as Special Administrator. } Appeal from the Circuit Court of the United States for the District of Mississippi.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, as required in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court, that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

137. Cyrus F. Palmer, vs. The Village of [illegible], } Reargument of this cause was continued by Mr. Geo. P. Spencer, of counsel for the appellee, and concluded by Mr. E. A. Risley, of counsel for the appellants.

794. The Cincinnati, New Orleans & Texas Pacific Railway Co., et al., vs. The Interstate Commerce Commission, and 832. The Interstate Commerce Commission, vs. The Cincinnati, New Orleans & Texas Pacific Railway Co. et al. } Appellants, Appellant, } The argument of these cases was commenced by Mr. N. J. Hammond, of counsel for the Interstate Commerce Commission, and continued by

Wednesday, January 9th, 1856 Continued

Mr. Ed. Baxter, of Counsel for the Railway Com-
panies

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Monday, January 4th 1875.

Pursuant to adjournment the Court met to-day at the Capitol,

Present,

The Honorable Melville W. Fuller Chief Justice

Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White

Associate Justices

John H. Wright, Esquire Marshal
Lawrence O'Donnell Clerk

Proclamation being made the Court proceeded

On motion first made to the Court in this behalf by Mr. J. J. Maguire it is ordered that Grove L. Johnson, Esquire of Sacramento, and Charles M. Cassin, Esquire of Yreka in the State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

John M. Lino,
vs. Appellant,
Hall Lee Ely et al

No. 832

M. J. L. Rawlins, of counsel for the appellees having filed in open Court the following certificate to wit:

"In the Supreme Court of the State of
John M. Lino, Appellant, vs. Hall Lee Ely et al

Francis Armstrong, Mayor of Salt Lake City, Andrew Burt, Policeman of Salt Lake City, Alfred Solomon, Marshal of Salt Lake City, Respondents.

I, Joseph P. Bache, Clerk of the Supreme Court, in and for the Territory of Utah, do hereby certify that in the above entitled action, judgment was duly made and entered, on the 31st day of August, A.D. 1892, in favor of the said respondents and against the said appellant; that on the same day an appeal was prayed by the said appellant, and allowed, from said judgment to the Supreme Court of the United States, and a bond to be given thereon was fixed in the sum of Five Hundred Dollars; that on the first day of September, A.D. 1892, a citation to the said respondents, citing them to be and appear before the said Supreme Court of the United States at Washington, D.C. on Friday, the second day of September, A.D. 1892, was issued, and on the same day was duly served, and filed with me, on the said first day of September, A.D. 1892; that on the same day a bond approved by C. S. Zane, Chief Justice was filed; that on the same day to-wit, the said first day of September, A.D. 1892, an extension of time was filed with me, giving the appellant herein thirty days from said first day of September, 1892, for making a return to the said Supreme Court of the United States; that on November first, 1892, an extension of time of sixty days was

granted, and on December 20th, 1894, an extension of fifteen days was granted; that all the extensions of time were filed with me, and are now on file in my office.)

I further certify that the record in this appeal prepared by me is still in my office.

In Witness Whereof, I hereunto set my hand and affix the seal of the Supreme Court of Utah Territory, this 22d day of December A.D. 1894.

Joseph P. Baskin,
Clerk Supreme Court of Utah.

Mr. Chief Justice Fuller moved the Court to docket and dismiss this cause, pursuant to the 4th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of Utah be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

140. P. B. Mattingly, Adm'r &c., Appellant, vs. The Northwestern Virginia Railroad Co., et al.

On motion of Mr. H. L. Cole, of Counsel, for the appellant. It is ordered by the

Court that this cause be, and the same is hereby, dismissed subject to the provisions of section 7 of, [illegible]

125. The U.S. ex rel. Henry Siegel, Pltff in Error, vs. Otis Thomas, Compt'ee &c. On motion of Mr. E. A. O'Sullivan, of counsel for the defendant in error, leave is hereby granted him to file a printed, brief herein. &c.

739. The Cincinnati New Orleans & Texas Pacific Railway Co. et al., Appellants, vs. The Interstate Commerce Commission. 832. The Interstate Commerce Commission, Appellant, vs. The Cincinnati New Orleans & Texas Pacific Railway Co. et al. The argument of these cases was concluded by Mr. George F. Edmunds, of counsel for The Interstate Commerce Commission.

141. N. L. Ard, Pltff in Error, vs. Alexander Brandon.
142. N. L. Ard, Pltff in Error, vs. C. A. Pratt.
143. Mary E. Ward, Pltff in Error, vs. J. M. Black.
144. William Mullen, Pltff in Error, vs. Nelson Burnham.

These cases were argued by Mr. William Lawrence, of counsel for the plaintiffs in error, and Mr. A. B. Browne, of counsel for the defendants in error.

Thursday, January 11th, 1883. Continued.

The New Orleans City & Lake Railroad Company
vs. Appellant,
The State of Louisiana
The City of New Orleans.

This cause was submitted to the Consideration of the Court on the Record and printed arguments by

Mr. George Denegre and Mr. Walter D. Denegre, of Counsel for the plaintiff in error, and Mr. E. A. O'Sullivan, of Counsel for the defendant in error.

33. The City of New Orleans,
vs. Appellant,
The Louisville & Nashville Railroad Co.

This cause was submitted to the Consideration of the Court on the Record and a printed argument by Mr. George Denegre and Mr. Walter D. Denegre, of Counsel for the appellant. No brief was filed by Counsel for the appellee.

9. The Pittsburgh & Southern Coal Co.
vs. Appellant in Error,
John M. Bates Sheriff &c.
and
10. The Pittsburg & Southern Coal Co.
vs. Appellant in Error,
The State of Louisiana for use of
The Charity Hospital of New Orleans

The argument of these cases was commenced by Mr. H. S. Benedict, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk

Proclamation being made, the Court was opened.

On motion first made to the Court in this behalf by Mr. Joseph R. Hawley, it is ordered that Lewis Sperry, Esquire, of Hartford, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. F. Manderson it is ordered that Eugene J. Hainer, Esquire, of Aurora, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. C. Fletcher it is ordered that Andrew [illegible], Esquire, of St. Louis, State of Missouri,

be admitted to practice as attorney and counsellor of this Court and the case is accordingly

1115 The Hat Sweat Manufacturing Company, vs. The Davis Sewing Machine Company et al. Appellant, Appeal from the Circuit Court of the United States for the Northern District of New York

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, Now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

1117 The Greenwood District of Johnston County, vs. The Missouri & Arkansas Lumber & Mining Co. Plff in Error In Error to the Circuit Court of the United States for the Western District of Arkansas

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, Now here ordered and adjudged by this Court that the writ of error

this Cause be and the same is hereby dismissed with costs.

(Per Mr. Chief Justice Fuller.)

9. The Pittsburgh Southern Coal Co., Plff in Error, v. John M. Bale, Sheriff &c.) And The Pittsburgh Southern Coal Co. v. Plff in Error, 10. The State of Louisiana for use of The Charity Hospital of New Orleans.

Reargument of these cases was continued by Mr. W. S. Benedict, of counsel for the plaintiff in error, and Mr. M. J. Cunningham and Mr. George Denegre, of counsel for the defendants in error, and concluded by Mr. George A. King, of counsel for the plaintiff in error.

46. Pullman's Palace Car Co., v. Plff in Error, The Metropolitan Elevated Railway Company.

Reargument of this Cause was commenced by Mr. Gardiner Lathrop, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 11th. 1864.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan.
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White

John M. Knight Esquire Marshal.
James [illegible]

Proclamation being made the Court [illegible]

On motion first made to the Court in this behalf by Mr David Dudley it is ordered that Thomas A. Cunningham and John W. [illegible] Esquires of Evansville State of [illegible] be admitted to practice as attorneys and counsellors of this Court and they severally [illegible]

On motion first made to the Court in this behalf by Mr. A. T. Mccalley it is ordered that Carter Berkeley Taylor Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was severally [illegible]

On motion first made to the [illegible]

on M. V. B. Silverthorn it is ordered that D. A. Haines Esquire of Sioux City State of Iowa be, admitted to practice as an attorney and counsellor of this Court and have a sworn according

On motion first made to the Court in this behalf by Mr. C. A. Spooner it is ordered that C. A. Northway Esquire of [illegible] and C. A. Culver Esquire of Chicago State of Illinois be, admitted to practice as attorneys and counsellors of this Court and they were severally

On motion first made to the Court in this behalf, by Mr. J. N. Garland it is ordered that Henry C. Ford Esquire of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was severally

Joseph S. Brown
vs. Appellant
S. L. Spilman and H. M. Chancellor.

Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was

On consideration whereof, it is now here ordered, adjudged and decreed, that the decree of the said Circuit Court in this cause sustaining the original bill

decree of the said Circuit Court reclaiming the demurrer and dismissing the cross-bill &c. and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings in accordance with the opinion of this Court.

Mr. Justice [illegible]

664. Elijah B. Sherman, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

Chief Mr. Justice Waite

841. Hiram P. McKnight, Plff in Error, vs. Charles C. James, Sheriff &c. of the Ohio Penitentiary. In Error to the Circuit Court of Ohio for the Second Judicial Circuit.

This cause came on to be heard on the transcript of the record from the Circuit Court of Ohio for the Second Judicial Circuit, and was argued by counsel. On consideration whereof

of Error now here ordered and adjudged by this Court that the writs of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

(Per Mr. Justice Daniel)

J. Stokes et al. Plff in Error, vs. The United States.
James H. Reagan, Plff in Error, vs. The United States.
Lewis E. Miller, Plff in Error, vs. The United States.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be and the same are hereby granted and the cases assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Taney)

Wm Downing alias Sam Hickory, Plff in Error,
857. vs.
The United States.

John Brown and
Stock vs. Plff in Error.
The United States

On consideration of the motions, to advance these cases, It is now here ordered by the Court that, said motions be and the same are hereby granted, and the cases assigned for argument on the first Monday of March next, after the cases already assigned for that day.

It is further ordered that the records in these cases be printed at the public expence.

(Per Mr. Chief Justice Taney)

M. L. Johnson Captain, United States Navy, Appellant
v.
David B. Sayre.

No. 174.

On consideration of the motion to advance this cause it is now ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the first Monday of April next.

Per M. Chief Justice Fuller.

Joseph A. Davidson, Plff in Err.
vs.
The Mexican National R. R. Co.
and
The Mexican National R. R. Co., Plff in Err.
vs.
Joseph A. Davidson.

No. 176.
No. 180.

On consideration of the motions to advance these cases, it is now ordered by the Court that said motions be and the same are hereby granted, and the cases advanced on the docket under the 32d rule, to be submitted on printed briefs, or if counsel prefer they will be advanced to be heard as one case, by agreement of counsel, on the second Monday of the next term, after the cases heretofore assigned for that day and one hour assigned to each side for oral argument.

Per M. Chief Justice Fuller.

The City of New Orleans,
vs. Appellant
353. The Louisville & Nashville Rail-
road Company and The New Orleans
Mobile & Texas Railroad Company

Appeal from the
Circuit Court of
the United States
for the Eastern Dis-
trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, for want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Delaware & Hudson Canal
Company,
vs. In Error,
1152. The Commonwealth of Penn-
sylvania.

In Error to the
Supreme Court
of the State of
Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-
ment of the said Supreme Court in this cause, be and the same is hereby reversed with costs, upon the authority of New York, Lake Erie & West-
ern R'y Co. v. Commonwealth of Pennsylvania

Monday, February 11th, 1895. Continued.

153 U.S. 698; and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings consistent with the opinion in that case.

Per Mr. Chief Justice Fuller.

No. 5. The Vulcan Iron Works, Appellant, v. Ellen L. Smith, Executrix, etc. } Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on a printed argument by Mr. J. H. Miller and Mr. M. M. Estee in support thereof, and leave was granted to Mr. Calderon Carlisle to file a printed brief in opposition thereto within one week.

Mr. J. H. Miller, of counsel, also submitted a motion to dispense with the printing of the record for use on this application.

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354. The Norfolk & Western R. R. Co., Plaintiff in Error, v. Edmund Pendleton. } On motion of Mr. H. H. Boatwright, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, advanced for hearing with Case No. 63.

The Norfolk & Western R.R. Co.,
vs. Appellant.
Edmund Pendleton.

And

The Norfolk & Western R.R. Co.,
vs. Appellant.
Edmund Pendleton.

These causes were submitted to the consideration of the Court on the record and printed arguments by Mr. W. H. Bolling, Mr. H. Robertson, and Mr. Joseph D. Doran, of counsel for the plaintiff in error, and Mr. John J. A. Powell, of counsel for the defendant in error, and leave was granted counsel to file additional briefs within ten days.

357

The City of Staunton,
vs. Plaintiff in Error.
Wilkinson & Kinnaird.

On motion of Mr. George A. Sanders, of counsel for the defendant in error,

It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 3rd Rule.

385.

Ex parte: In the matter of Eugene H. Bolles et al.,
Petitioners.

Mr. Clarence A. Barron, of counsel, for the petitioners, presented a motion for leave to file a petition for a writ of habeas corpus and a petition for a writ of error thereon. Whereupon it is now here ordered by the Court that the petition for a writ of error be assigned for argument on Wednesday the 16th instant.

Monday, January 11th, 1892. Recess.

683 E. M. Bacon et al. vs. The State of Texas. In Error to Travis County. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. A. Culberson in support of the same, and Mr. J. Hubley Ashton, Mr. Thomas D. Cobb and Mr. Charles W. Ogden, in opposition thereto.

700. Springville City vs. Jerry A. Thomas et al. In Error to Utah Territory. The motion to dismiss, in this cause was submitted to the consideration of the Court on printed arguments by Mr. P. L. Williams in support of the same, and Mr. J. L. Rawlins in opposition thereto.

751. The St. Louis Cape Girardeau & Fort Smith Railway Co. vs. The State of Missouri at the relation of Edwin A. Hammond. In Error to Cole County. The motions to dismiss or affirm, in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. John H. Dillon, Mr. Winslow S. Pierce and Mr. Henry Hubbard, in support of the same, and Mr. John M. Noble, in opposition thereto.

George A. Gaines et al.
vs. Affirmed in Error,
John Carrigan.
To Error to the Supreme Court of the State of Illinois.

No. 157.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, as is required, in pursuance of the 16th rule of this Court, and nowhere ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Pullman's Palace Car Co.,
vs. Affirmed in Error.
The Metropolitan Elevated Railway Company.

No. 146.

The argument of this cause was continued by Mr. Gardiner Lathrop, of counsel for the plaintiff in error, and Mr. Frank Hagerman and Mr. Wallace Pratt, of counsel for the defendant in error, and concluded by Mr. Gardiner Lathrop, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

(Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

(Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. J. Steele it is ordered that Russell C. Hoover, of Exeter, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and thereupon was so admitted accordingly.

On motion first made to the Court in this behalf by Mr. J. Z. George it is ordered that James L. McCaskill, and W. A. Peterson, Esquires, of Brandon, State of Mississippi, be admitted to practice as attorneys and counsellors of this Court and they were thereupon severally so admitted.

On motion first made to the Court in this behalf by Mr. H. L. Wright it is ordered that Henry T. Merrill, Esquire, of Chicago, State of Illinois

be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

No. Original. The United States, Complainant, vs. The State of [illegible] Defendant. On motion of Mr. A. H. Garland of counsel for the defendant, leave is hereby granted to file a stipulation of counsel in relation to additional testimony and also the additional testimony referred to therein.

No. Luther A. Graves et al., Appellants, vs. The County of [illegible] Appellee. On motion of Mr. George A. Jones of counsel for the appellants, it is ordered by the Court that this cause be and the same is hereby, advanced, pursuant to the 3rd Rule.

No. The Garland & Courtwise Transportation Co. of Baltimore, et al., Appellants, vs. Joseph Cornell et al. Appellees. Appeal from the Supreme Court of the District of Columbia.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th Rule of this Court now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Tuesday, January 18th, 1898, Continued.

150.	Everett Wallace Hill, Collector &c., vs. Iliff in Error, Weibusch & Nelson (Limited)	This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. Francis Lynde Stetson, of counsel for the defendant in error.
151.	William Stewart vs. The City of Boston,	Reargument of this cause was commenced by Mr. Carter, Berkeley Taylor, of counsel for the plaintiff in error, continued by Mr. H. J. Steele of counsel for the defendant in error, and concluded by Mr. J. P. Hornblower, of counsel for the plaintiff in error.
152.	The Southern Pacific Co., vs. Iliff in Error, Malda Post Adams,	Reargument of this cause was commenced by Mr. Maxwell Evarts, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion it is ordered that A. L. Sanborn, Esquire, of Madison, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

163. Thomas Maddox, Appellant, vs. Jonathan Bowman. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause having been called for hearing on its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 16th rule of this Court, now here ordered, adjudged and decreed by this Court that this ap-

peal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

David Schreiner, Adm'r &c. Appeal from the Circuit Court of the United
vs. Appellant, States for the Northern
No. Julia A. Smith, et al. District of Illinois.

Appearing to the Court that counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now ordered, adjudged, and decreed by the Court that the appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

The Southern Pacific Co. The argument of
vs. this cause was
57. Mahala Pool, Admx &c. continued by Mr.
Maxwell Evarts,

of counsel for the plaintiff in error, and Mr. Samuel Shellabarger, of counsel for the defendant in error, and concluded by Mr. Maxwell Evarts, of counsel for the plaintiff in error.

Ex parte: In the matter The petition for a
of Eugene V. Debs, et al, writ of error herein
Petitioners was argued by
Mr. C. S. Darrow

of Counsel for the Petitioners, and Mr. Assistant Attorney General Whitney as Amicus Curiæ.

160 James N. Brown vs. Jeffie Snow, Auditor, &c. } This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. N. Blair, of Counsel for the Plaintiff in error, & Mr. Frank H. Hewett of Counsel for the Defendant in error.

151 The Hill Silver & Copper Mining Company et al. vs. Jeffie Snow Tax Agt. &c. The First National Bank of Salt Lake et al } Reargument of this cause was commenced by Mr. A. N. Sperland, of Counsel for the plaintiffs in error and appellants, and continued by Mr. M. Kirkpatrick, of Counsel for the defendants in error and appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January [illegible], 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,

Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. P. J. Henderson it is ordered that John Green Ballance, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that L. W. Andrews, Esquire, of Rocky Mount, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Ex parte: In the matter of Eugene V. Debs et al, Petitioners. On consideration of the petition for a writ of error herein, and of the argument of Counsel thereupon had, & well in support of & against the same, the Court being of opinion that the writ of error will not lie. It is now here ordered by the Court that said petition, be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of Eugene V. Debs et al, Petitioners. On consideration of the motion for leave to file a petition for writs of habeas corpus & certiorari herein. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of Eugene V. Debs et al, Petitioners. On consideration of the petition of Eugene V. Debs, George M. Howard, Sylvester Keliher, L. H. Rogers, James Hogan, William E. Burns, Roy M. Goodwin & Martin J. Elliott, It is now here ordered by the Court that cause be shown by John H. Arnold, Marshal of the United States for the Northern District of Illinois, and George Sehorn, Sheriff of the County of McHenry, before this Court at Washington on Monday the

28th day of January instant, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted, as prayed in said petition.

Per Mr. Chief Justice Taney.

207. The New York, Lake Erie & Western R. R. Co., Plff in Error vs. Andrew Broom. In Error to the Circuit Court of the United States for the Southern District of New York.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Taney.

The Continental Insurance Co. of the City of New York vs. The Union Insurance Co. of Philadelphia, Plff in Error. In Error to the Circuit Court of the United States for the Southern District of New York.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court

the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

554. The Bell Silver & Copper Mining Co. et al. vs. Hopkins & Mo's et al. and The First National Bank of Butte et al.

Reargument of this cause was continued by Mr. M. Kirkpatrick, of counsel for the defendants in error and appellees, and concluded by Mr. A. N. Ballard, of counsel for the plaintiffs in error and appellants.

555. The National Cash Register Company, appellant, vs. The Boston Cash Indicator & Recorder Co. et al.

Reargument of this cause was commenced by Mr. Edward Rector, of counsel for the appellant, continued by Mr. C. C. Fish, of counsel for the appellees, and concluded by Mr. Lysander Hill, of counsel for the appellant.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 10th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court proceeded

On motion first made to the Court in this behalf by Mr. Hampton L. Carson it is ordered that James M. Beck, Esquire, of Philadelphia, Pennsylvania, be admitted to practice here as an attorney and counsellor of this Court and he was severally accordingly

Ex parte: In the matter of Eugene V. Debs et al., Petitioners. } No. 11. Original.

Mr. Assistant Attorney General Conrad submitted to the consideration of the Court a stipulation of counsel in relation to the return day of the rule to show cause granted herein and as to the enlargement of the petitioners on bail.

Thomas Burton,
138. vs. Appellant
The Land & River Im-
provement Co.

Argument of this
cause was commenced,
by Mr. W.G. Silverthorn,
of Counsel for the appel-
lant, continued by
Mr. N.L. Sunborn, of Counsel for the appellee,
and concluded by Mr. M.G. Ryan, of Counsel,
for the appellant.

The Pennsylvania Railroad
Company,
155. vs. Appellant,
The Wabash, St. Louis & Pacific
Railway Co., et al.

This cause was
argued by Mr.
George Hoadly,
of Counsel for the
appellant, and
submitted on
printed arguments by Mr. George Hilliard, of
Counsel for the appellant, and Mr. Wells A. Beal-
gett, of Counsel for the appellees.

Proclamation being made the Court is adjourned,
until Monday next at twelve o'clock.

Monday Afternoon Dec. 19th 1887

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
George Shiras, Jr.
Edward D. White
John M. Knight, Esqr. Attorney
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that A. C. Dustin, Esquire of Cleveland, Ohio be admitted to practice as an attorney and counsellor of this Court and he thereupon accordingly.

On motion first made to the Court in this behalf by Mr. J. F. Dewees it is ordered that Henry Clark Johnson, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he thereupon accordingly

Herman Spaff and
Hans Hanson
613. vs. In Error to the Circuit
Court of the United States
The United States. for the Northern District
of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause as to the defendant Hans Hanson be and the same is hereby affirmed and as to the defendant Herman Spaff be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict as to the defendant Herman Spaff and award a new trial as to him.

Per Mr. Justice Harlan.

Dissenting:
Mr. Justice Gray and Mr. Justice Shiras.
Dissenting as to reversal of judgment as to Spaff.
Mr. Justice Brewer and Mr. Justice Brown

S. M. Dixon et al.,
603. vs. In Error &c.
The State of Texas.

It is ordered by the Court that the further consideration of the Motion to dismiss in this cause be and the same is hereby postponed until the hearing of the

Monday January 7th 1895, Continued

Ex parte: In the matter of Eugene V. Debs et al. Petitioners

On the motion of the Attorney General of the United States and on consideration of the stipulation signed by counsel for the petitioners and the Attorney General filed herein dated January 1st 1895, it appearing to the Court that it is stipulated that the time for the return of the rule heretofore granted herein may be extended until the last Monday of March next and that in the meantime petitioners may be let to bail in the sum of two thousand dollars, It is now here ordered that the hearing on the return to the rule to show cause why the writ of habeas corpus should not issue be and the same is hereby set down for Monday the twenty fifth day of March 1895, and that pending the determination of this proceeding the petitioners be enlarged upon bail in the sum of two thousand dollars each the bonds to be conditioned to abide the further order of this Court and to be approved by either of the Judges of the Circuit Court of the United States for the Northern District of Illinois.

Per M Chief Justice Fuller

151. William Stuart vs. Allen Bixler, The City of Easton and The County of Northampton. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed at the costs of the plaintiff in error; and that this cause be and the same is hereby remanded to the said Circuit Court with leave to apply for a reinstatement and for further proceedings.

(See Mr. Chief Justice Fuller's dissent.)

582. Henry C. Rouse, Receiver of The Missouri, Kansas & Texas Railway Company vs. Annie Letcher. Appellant, Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the

the want of jurisdiction; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Missouri.

Per Mr. Chief Justice Fuller

The Postal Telegraph Cable Company vs. Wirt Adams, Revenue Agent of the State of Mississippi

In Error to the Supreme Court of the State of Mississippi

614.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Mississippi.

Per Mr. Chief Justice Fuller

Dissenting:
Mr. Justice Bradley
Mr. Justice Harlan

675. The United States, Appellant, vs. E. C. Knight Company, Sugar Refining Company, that Appeal from the United States Circuit Court of Appeals for the Third Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan.

512. James Connor, Plff in Err. vs. The United States. This cause was re-submitted to the consideration of the Court on the record and printed arguments by Mr. F. P. Stoltz and Mr. M. F. Taylor, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

545. The United States, Appellant, vs. John I. Davenport. This cause was submitted to the consideration of the Court on the record and upon the arguments by Mr. Assistant Attorney General Dodge and Mr. Felix Brannigan, of Counsel for the appellant, and Mr. R. R. McMeekin of Counsel for the appellee.

551. The United States, Appellant, vs. Merwin B. Conrad. Appeal from the Court of Claims

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell, of Counsel for the appellant, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller

892. The Cincinnati, Hamilton & Dayton Railroad Co., Appellant, vs. William R. McKeen. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the Consideration of the Court on printed arguments by Mr. Lawrence Maxwell Jr. in support

of the same and Mr. H. N. Miller, in opposition thereto.

706. August Bergemann vs. Appellant, Edmund A. Brooks, Sheriff. Mr. Joshua A. Salmon, of counsel for the appellee, submitted, to the consideration of the Court a motion to advance this cause.

707. The Oceanic Steam Navigation Company, vs. Appellant, Isaac Howard Cutler, et al. The petition for a writ of certiorari, herein to bring up additional parts of the record was submitted to the consideration of the Court on printed arguments by Mr. Everett P. Wheeler, in support of the same, and Mr. Willard Parker Butler, in opposition thereto.

708. George Andrews, vs. Appellant, Benjamin Worthington, Sheriff, etc. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George M. Shipman, of counsel for the appellant, and Mr. William H. Hughes, of counsel for the appellee.

709. P. H. Bannon et al. vs. Plaintiffs in Error, The United States. Mr. B. F. Peixotto submitted to the consideration of the Court a motion to dismiss the ar-

Journal of the Proceedings

Ex parte: In the matter of Louis F. Sharp Petitioner. Mr. Frank Brainerd, Jr. of counsel for the petitioner submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

294. Henry E. McKee, v. Appellant Ward A. Lamon. And Ward A. Lamon et al. 295. v. Appellants Henry E. McKee et al

Mr. F. D. McKenney, in behalf of counsel, moved the Court to make Robert Lamon, Administrator of Ward A. Lamon, deceased, a party to these appeals. Whereupon, It is now here ordered by the Court that the said Robert Lamon Administrator of Ward A. Lamon deceased, be, and he is, hereby made the party appellee in case No. 294, and one of the parties appellant in case No. 295.

94. C. & A. Potts & Co., v. Appellant Frank F. Creager et al.

Mr. Ernest H. Bedford, of counsel for the appellant, submitted to the consideration of the Court a motion for an order granting the clerk leave to issue the mandate in accordance

357. The Michigan Dairy Co. etal vs. Appellants / James W. Converse

M. D. E. Fox, in behalf of counsel for the appellee suggested the death of James W. Converse, the appellee herein, and moved the Court to make Costello C. Converse, Executor of James W. Converse, deceased, the party appellee. Whereupon it is now here ordered by the Court that the said Costello C. Converse, Executor of James W. Converse, deceased, be, and he is, hereby made the party appellee in this cause.

328. The Postal Telegraph Cable Co., vs. Plff in Error, The Mayor & City Council of Baltimore

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed argument by M. Thomas G. Hayes and M. W. J. Bryan Jr., in support of the same, and M. George N. Bates in opposition thereto.

162. Lucien Baker vs. Appellant, Samuel H. Wood etal

This cause was argued by M. Henry M. Teller, of counsel for the appellant, and M. Edward O. Wolcott, of counsel for the appellees.

The Rieden Iron & Locomotive Works,
Appellant
vs.
Philip Medart et al.,

No. 64.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. M. A. Wheaton Mr. F. J. O'Neill and Mr. E. A. Taylor of Counsel for the appellant, and Mr. William M. Bates of Counsel for the appellees.

George E. Belknap et al.
Appellants
vs.
George F. Schield

No. 65.

Reargument of this cause was commenced by Mr. Assistant Attorney General Conrad, of Counsel for the appellants, and continued by Mr. J. A. Miller of Counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Ex parte: In the matter of William Robertson, Petitioner. On consideration of the petition for a writ of error herein, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Stanton A. Chapman, Petitioner. Mr. J. M. Wilson, of Counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

Tuesday, January [illegible]

Ex parte: In the matter of John A. Shriver, Petitioner. Mr. A. J. Dittenhoefer, of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of [illegible]

111. U. J. Connell et al., Appellants vs. John A. Smiley. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. J. Connell, of counsel for the appellants, and Mr. W. J. Keep, of counsel for the appellee.

165. George E. Belknap et al., Appellants vs. George F. Willetts. The argument of this cause was continued by Mr. J. A. Miller, of counsel for the appellee, and concluded by Mr. Assistant Attorney General, of counsel for the appellants.

139. Samuel Mather et al., Plaintiffs in Error, vs. Richard Preston. The argument of this cause was commenced by Mr. A. G. Dustin, of counsel for the plaintiffs in error, and continued by Mr. F. O. Clark, of counsel for the defendant in error, and Mr. George F. Edmunds, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until to-

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Voorhees it is ordered that John L. Belz, Esquire, of Jasper, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Abbott it is ordered that M. W. Johnson and Frank Lee, Esquires, of Paris, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by

Wednesday, January 15th, 1873. Continued.

On motion of Mr. Frederic D. McKenney, it is ordered that, Henry K. White, Esquire, of St. Joseph, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and the rules, thereon accordingly.

192. George F. Richard, Plff in Error, vs. William Chamberlain
193. Eben Pierce, Plff in Error, vs. James A. Hamilton

On motion of Mr. Frederic D. McKenney, of counsel for the plaintiff in error, it is ordered by the Court that these cases be, and the same are hereby, passed subject to the provisions of section 997 of Rule 24.

139. Samuel Mather et al. vs. Alfred Rice, Richard Williams — The argument of this cause was concluded by Mr. George F. Edmunds, of counsel for the plaintiffs.

166. The United States, Plff in Error, vs. George N. Pratt et al.
167. " " " " " " " Maxwell Salisbury
168. " " " " " " " Monroe Salisbury
169. " " " " " " " Monroe Salisbury
170. " " " " " " " Monroe Salisbury
171. " " " " " " " Monroe Salisbury

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Solicitor General Maxwell, of counsel for the plaintiff in error, and leave was granted counsel for the defendants in error

file a printed argument and counsel for the plaintiff in error to file a reply thereto.

Henry F. Batchelor, }
vs. } In Error.
1795 M. Riffin }
The United States.

This cause was argued by Mr. John F. Morgan, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

William Grimm, }
vs. } In Error.
424 The United States.

This cause was argued by Mr. Solicitor General, Maxwell, of counsel for the defendant in error, and submitted on a printed argument by Mr. E. F. Dyer, of counsel for the plaintiff in error.

E. J. Bannon et al., }
507 vs. } In Error.
The United States.

Upon consideration of the motion to postpone the argument of this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

E. J. Bannon et al., }
507 vs. } In Error.
The United States.

This cause was argued by Mr. A. B. Browne and Mr. B. F. Dowell, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Conrad, of counsel for the

Thursday, January 24th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

John M. Harlan

Horace Gray

David J. Brewer

Henry B. Brown

George Shiras, Jr.

Edward D. White

John M. Wright, Esquire, Marshal

James H. McKenney, Clerk

Proclamation being made, the Court was opened

The United States on the relation of George G. Mernick, George H. Batchelder, H. B. Morse, and N. J. Colemore

vs.

Charles Foster, Secretary of the Treasury.

No. 807. In Error to the Supreme Court of the District of Columbia

This cause having been called to the attention of the Court by Mr. J. M. Wilson, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause, pursuant to the stipulation of said parties, it is ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

177. Robert A. Belcher et al. vs. Appellants, McClaughry Lumber Co. et al. Appeal from the Circuit Court of the United States for the Northern District of Mississippi.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

182. John F. Dewey, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause having been called for hearing in its regular order, and it appearing by the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, and adjudged by this Court that this appeal, be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

186. George A. Bartlett, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause having been called for hearing in its

regulander, and a stipulation to dismiss this cause having been filed therefore, in pursuance of said stipulation. It is now here ordered and adjudged by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Chief Justice Fuller

300. (T. G. Huston et al., Appellants, vs. The Lookout Mountain R. R. Co. et al.,) Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

Appearing to the Court that an authority of Counsel for the appellants to dismiss this Cause has been filed therefore in pursuance of said authority. It is therefore ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller

Daniel M. Frost, Appellant, vs. Frederick F. M. [illegible]

The argument of this cause was commenced by Mr. W. P. S. Curtis, of Counsel for the appellant continued by Mr. Frederic D. McKenney, of Counsel for the appellees and Concluded by Mr. Samuel Shellabarger, of Counsel for the appellant

173 The St. Louis & San Francisco Ry Co. vs. Hill in Error. John B. Gill, Esq.

The case was argued by Mr. E. D. Kenna, of counsel for the plaintiff in error, and Mr. A. H. Garland, of counsel for the defendant in error.

174 The St. Louis & San Francisco Ry Co. vs. Hill in Error. John Hagerman, Esq.

175 The St. Louis & San Francisco Ry Co. vs. Hill in Error. M. A. Trimble, Esq.

176 The St. Louis & San Francisco Ry Co. vs. Hill in Error. A. H. Garland, Esq.

177 Thomas H. Cooper, Collector &c., vs. Hill in Error. John A. Hamilton, Esq.

The argument of this cause was commenced by Mr. Assistant Attorney General Wilson, of counsel for the plaintiff in error, and continued by Mr. Richard C. Talbot, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday January 8th 1894.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
John M. Wright, Esquire, Marshal,
James H. McKenney Clerk

Proclamation being made the Court adjourned

On motion first made to the Court in this behalf by Mr. H.B. Moulton it is ordered that W.H.D. Homer, Esquire, of Shiloh, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David B. Hill it is ordered that Arthur R. Moore, Esquire, of Fredonia, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

187. Thomas Devlin vs. Appellant / William Wise et al. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller

189. E. T. Tolland, vs. Appellant / The Brown Machine Co. Ordered by the Court that this cause be, and the same is hereby, continued until the next term per stipulation of counsel.

191. Jonathan Lindsay et al., vs. Plffs in Error, / Samuel Geraghty et al. Etc. This cause was submitted by the consideration of the Court on the record and printed arguments by Mr. M. A. Henderson and Mr. Leon Jourdan, of counsel for the plaintiffs in error, and Mr. M. P. Rushburn and Mr. Jerome Templeton, of counsel for the defendants in error.

179. Thomas T. Cooper, Collector &c. vs. John & James Dobson. This argument of this cause was concluded by Mr. Richard P. White, of counsel for the defendants in error, and concluded by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error.

178. Daniel Mayone, Collector &c. vs. Peter Hudson. This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. Edward Hartley, of counsel for the defendants in error.

180. B. A. Eccles et al., Appellants, vs. Thomas Hodson et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James L. McCaskill, of counsel for the appellants, and Mr. Brent J. Johnston, of counsel for the appellees.

181. Erwin Davis, Appellant, vs. Angelica Hakelee. This cause was argued by Mr. Hallett Logan, of counsel for the appellant, and Mr. Anson Mathby, of counsel for the appellee.

183. The County Court of St. Charles County and the Judges thereof, Pls. in Error, vs. The United States for the use of William F. Shelton, Defts. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and the plaintiffs in error having been three times solemnly called by the Marshal, to come into Court and prosecute their writ of error and failing to appear, It is thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. R. B. Monroe of Counsel for the defendant in error, nowhere ordered, and adjudged by this Court that this cause be and the same is hereby, dismissed with Costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law & justice.

See Mr. Chief Justice Taney.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 8th 1894

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Edwin F. Uhl it is ordered that Hilland F. Keeney, Esquire of Grand Rapids State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that James Harold Warner, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf

by Mr. N. P. Swenson it is ordered that Anthony Ten Eyck Esquire of Sioux City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was so accordingly

On motion first made to the Court in this behalf by Mr. W. B. Davis it is ordered that John L. McNutt, Esquire of New Mexico, and George N. Knight, Esquire of Vigo State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were so accordingly

On motion first made to the Court in this behalf by Mr. J. N. Garland it is ordered that James G. Rudy Esquire of Paris, State of Texas, and, Ephriam C. Cruce, Esquire of Ardmore Indian Territory, be admitted to practice as attorneys and counsellors of this Court and they were so accordingly.

Samuel Lazarus
vs. } In Error to the Circuit Court of the
John J. Phelps, William E. Bond } United States for the
and Thomas G. White, Jr, Executors } Northern District
of William White deceased } of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof,

Monday January 25th 1892 Continued

Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of [illegible]

Per Mr. Justice Brewer

No 53. William Dimbar vs. The United States. In Error to the District Court of the United States for the District of Oregon

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed

Per Mr. Justice Brewer

Dissenting:
Mr. Justice Field

No 65. The Union Iron Works, Appellant, vs. Ellen L. Smith, Executrix &c. et al. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit and of the

ument thereon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller

August Bergemann, Appellant
vs.
Edward F. Becker, Sheriff

709. By consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

Springville City,
vs.
Thos. Kay et al.

700. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby postponed, until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller

The Oceanic Steam Navigation Company, Appellant,
vs.
Grace Howard Potter et al.

701 By consideration of the suggestion of diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the Court that said writ of certiorari be

the same is hereby awarded directing the United States Circuit Court of Appeals for the Second Circuit to return a transcript of the proceedings on application to take additional testimony; the application of appellant for any other writ of certiorari or rule or order be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

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891. The Postal Telegraph Cable Company vs. The Mayor & City Council of Baltimore. } In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr Chief Justice Fuller.

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892. The Cincinnati, Hamilton & Dayton Railroad Company, Appellant, vs. William R. McKeen. } On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth

On consideration of the petition for a writ of

liqari Herein to the United States Circuit Court of Appeals for the Seventh Circuit and of the arguments of counsel thereupon. Had as well in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Louis Wm. Hoop. Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

515. The United States, Appellant, vs. John S. Davenport. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice Fuller.

Monday January 28th Rep. Ordered

Jonathan Lindsay, Indan
Longmire et al.,
141. vs. Affs in Error
Samuel Turney, Daniel M.
Turney, Jr. Thomas E. Turney
Jr, and Ben Johnson, Jr. Exrs &c
Law of Jane Burgess, deceased

In Error to the
Circuit Court of
the United States
for the Eastern
District of
Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by Counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment in the said Circuit Court in this cause be, and the same is hereby affirmed with Costs

Per Mr. Chief Justice Taney

The Chief Justice announced that the Court would adjourn from Monday Feb. 1st until Monday

551 The United States, Appellant, vs. Mervin B. Conover.
551. The United States, Appellant, vs.

On motion of Mr. Solicitor General Maxwell leave is hereby granted the Clerk to amend the mistake in these Cases

812. M. F. Ball et al., Affs in Error, vs. The United States
842. Babe Baird, Affr in Error. vs. The United States

Mr. Solicitor General Maxwell

to the consideration of the Court motions to advance these causes.

Charles Pollock,
vs. Appellant.
No. 163. The Farmers Loan & Trust Company et al.,
And
Lewis H. Hyde,
vs. Appellant,
No. 911. The Continental Trust Company of the City of Baltimore et al.

On motion of Mr. W. H. Breslow, in behalf of counsel for the appellants, It is ordered by the Court that these causes be and they are hereby advanced and assigned for argument on the first Monday of March next before the causes heretofore assigned for that day.

Arthur D. Andrews,
vs. Plff in Error,
The United States.

Mr. S. M. White, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in this Court in forma pauperis.

The County Court of St. Charles County et al.,
vs. Plff in Error,
No. 183. The United States ex rel. Hoy Smith.

On motion of Mr. W. B. Homer, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

831. H. P. Sayward et al. vs. Hiss in Error. Thomas Thomas et al.

Mr. S. B. [illegible] counsel for the defendants in error, submitted to the consideration of the Court a motion for an order granting the Clerk leave to issue the mandate in the cause which was opposed by Mr. James Coleman, of counsel for the plaintiffs in error.

In Parte: In the matter of The Lehigh Mining and Manufacturing Company. Petitioner.

The motion for leave to file a petition for a writ of mandamus herein was submitted to the consideration of the Court on printed argument by Mr. R. A. Ayers, in support of the same, and Mr. [illegible] in opposition thereto.

Alonzo Gerard vs. Appellant. The Diebold Safe & Lock Co.

No. 43.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed argument by Mr. Pulcion O'Donnell, in support of the same.

James Gilfillan et al., vs. Appellants. Henry D. Ross et al.

No. 203.

The death of John N. B. Lalande, one of the appellees herein, [illegible]

been heretofore suggested, now on motion of Mr. Enoch Totten of counsel, It is ordered by the Court that Charlotte V. Latrobe Executrix of John H.B. Latrobe, deceased, be and she is, hereby, made a party appellee in this cause.

Mary E. McKee.
976. vs. Appeal &c.
Charlotte V. Latrobe Executrix.

The suggestion of diminution of the record and motion for a writ of certiorari herein was submitted to the consideration of the Court on printed arguments by Mr. Enoch Totten and Mr. Reginald Rendall, in support of the same, and Mr. Jefferson Chandler and Mr. John J. Ewell, in opposition thereto.

Albert Price et al.
977. vs. Plff in Error.
Elijah Price &c.

Ordered by the Court that this cause &c. and the same is hereby continued until the next term, per stipulation of counsel.

The Boston & Albany R.R. Co.
978. vs. Plff in Error.
Patrick J. Kiely.

On motion of Mr. John B. Colton, of counsel for the defendant in error,

It is ordered by the Court that this cause be, and the same is hereby, passed on account of absence of counsel. Subject to the provisions of Section 9 of Rule 21.

Monday January 8th 1855 Continued.

199. John D. Beardsley, vs. The Arkansas & Louisiana Railway Company, Appellant. On motion of Mr. A. H. Garland of counsel for the appellant, It is ordered by the Court that this cause &c, and the same is hereby, passed for submission.

201. The Dubuque & Sioux City R.R. Co. et al. vs. Thomas Snell et al. Appellants. On motion to the Supreme Court of the State of

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, & is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause &c, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney

556. Harriet Pulle Dare et al. vs. Rachel Angel et al. Appellants. Appeal from the Supreme Court of the Territory of Utah.

It appearing to the Court that an authority of counsel for the appellants to dismiss this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered, adjudged

and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

158 John Reed, Admr &c.
vs.
W. Heffron Exor.
The Pennsylvania Company.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. L. Dirlam, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

159. The Sanford Fork & Tool Co. et al.,
vs.
Appellants,
Howe Brown, Jr. (Admr &c.)

This cause was argued by Mr. George A. Knight, of counsel for the appellants, and Mr. Sidney B. Davis, of counsel for the appellee.

165. The Maricopa & Phoenix R. R. Co.,
vs.
Appellant,
The Territory of Arizona.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Harvey S. Brown, of counsel for the appellant. No counsel appeared for the appellee.

156. The Aetna Life Insurance Co.,
vs.
Hiram Sears,
The County of Dyer, Trustee.

The argument of this cause was commenced by Mr. F. B. Daniels,

of Counsel for the Plaintiff in error, and continued
by Mr. Anthony Van Wagenen, of Counsel for the
Defendant in Error.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,
The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas A. E. Weadock it is ordered that Thomas O'Hara, Esquire, of Benton Harbor, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and, having taken the required oath, presented his certificate of

James Gilfillan et al. App'ts, vs. Henry E. McKee et al. 294. Henry E. McKee, App't, vs. Robert Lamon, Admr &c. 295. Robert Lamon, Admr &c, App't, vs. Henry E. McKee. 296. Henry E. McKee, App't, vs. Charlotte V. Letcher, Executrix &c. 291. John D. McPherson, Executor &c, App't, vs. Henry E. McKee et al.

On motion of Mr. Culleton Carlisle, of Counsel, it is ordered by the Court that these cases be, and

Tuesday, January 26th, 1892. Conference.

Second Monday of March next for submission of counsel.

205. The State of Wyoming &c., Appellant vs. Daniel Hoffey et al. Ordered by the Court that this cause be, and the same is hereby, passed until after the decision of case No. 687 shall be submitted on printed arguments of counsel.

206. The L. E. Waterman Co., Appellant, vs. Charles B. Webster et al. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record herein, therefore, in pursuance of the 16th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

207. The New York, Lake Erie & Western R. R. Co., Plaintiff in Error, vs. Lewis A. Winter. Ordered by the Court that this cause be, and the same is hereby, dismissed.

219. The Gulf, Colorado & Santa Fe Ry Co., vs. Jeffie Dyer. This cause was submitted to the consideration of

the Court on the record and printed arguments by Mr. A.B. Browne, Mr. J.W. Perry and Mr. George R. Peck, of counsel for the plaintiff in error, and Mr. N.H. Swaine, of counsel for the defendant in error.

918 Herman Wagner, vs. Affirmed.
The Shultz Belting Co.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause having been called for hearing in order, and appearing to the Court that the parties have failed to print the transcript of the record herein, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Mechanic Life Insurance Co., vs. Affirmed.
The County of [illegible]

Reargument of this cause was continued by Mr. Anthony Van Wagenen and Mr. N.J. Guernsey, of counsel for the defendant in error, and concluded by Mr. A.B. Cummins, of counsel for the plaintiff

Tuesday, January 24th, 1893, Continued

The Grand Rapids & Indiana Railroad Company et al. vs. Wm. Ross in Error. John Butler

195. Wm. W. F. Keeney, of counsel for the defendant in error, suggested the death of John Butler the defendant in error herein and moved the Court that John M. Butler individually and as Executor of John Butler, Helen Butler Josephine A. Bouchard, Julia A. Brown and Carrie E. Barber be made the parties defendants in error as per stipulation of counsel filed.

Whereupon it is now here ordered by the Court that the said John M. Butler individually, and as Executor of John Butler, deceased, Helen Butler, Josephine A. Bouchard, Julia A. Brown and Carrie E. Barber be and they are hereby made the parties defendants in error

The Grand Rapids & Indiana Railroad Company et al. vs. Wm. Ross in Error. John M. Butler, individually and as Executor

198. This cause was argued by Mr. W. F. Keeney, of counsel for the defendant in error and submitted on a printed argument by Mr. D. J. O'Brien, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Wednesday January 30th 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. T. K. Faulconer it is ordered that Malcolm Jackson, Esquire of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Black Diamond Coal Mining Co. vs. The Excelsior Coal Co. } No. 100. In Error.

This cause was argued by Mr. M. M. Estee, of Counsel for the plaintiff in error, and Mr. Charles R. Miller, of Counsel for the defendant in error.

Wednesday, January 20th, 1875. Adjourned.

213. The County Court of Wayne County, vs. Griffin Bros. & Society for Savings. This cause was argued by Mr. Nathaniel Jackson, of counsel for the plaintiff in error, and Mr. F. M. Finlaw, of counsel for the defendant in error.

214. Dubuque City & St. Paul Railroad Co., vs. The United States. Appellant. Ordered by the Court that this cause be, and the same is hereby passed for argument with Case No. 295 and that

The Sioux City & St. Paul Railroad Co., vs. Griffin Bros. & Society for Savings. Appellant.

Lewis Counbuyer

215. Anthony P. Carr, vs. A. M. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. J. May, Mr. John Arthur and Mr. Thomas Caswell, of counsel for the appellant and Mr. Solomon Parsons, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. A. W. McCorry it is ordered that Hamilton Parks, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court

217. The Union Pacific Railway Co., v. Otis Hyde. (Motion to Dismiss.)

On motion of Mr. H. Hallett Phillips, in behalf of counsel, it is ordered by the Court that this cause be and the same is hereby dismissed on account of sickness of counsel, subject to the provisions of section 1 of Rule 30.

Thursday, January 31st, 1895, Continued

The Simons & St. Clair Land Co. Motion of Mr.
291. vs. Appellee James A. Finney
The State of Minnesota of counsel for the plaintiff in
error, It is ordered by the Court that this cause
be, and the same is hereby, passed to be argued
with case No. 236 as one case

The City of New Orleans, Motion of Mr.
292. vs. Appellant, A. B. Browne, on
The Pipes & Chinese Rail behalf of
way Co. et al. It is ordered by
the Court that this
cause be, and the same is hereby, passed on
account of sickness of counsel, subject to the
provisions of section [illegible]

George W. Fallon & Co., Motion of Mr.
297. vs. Appellees, S. F. Richard, of
The United States counsel for the plaintiff
in error, It is or-
dered by the Court that this cause be, and the
same is hereby, passed, subject to the provisions
of section [illegible]

Winfield Scott Hayes et al., Motion of Mr. A.
298. vs. Appellants, B. Browne, in behalf
The Eureka Consolidated of counsel, It is order
Mining Co. ed by the Court that
this cause be, and the
same is hereby passed, subject to the provisions

318 Monday January 31st 1859 Continued

of section 9 of Act. 70

The Corinne Mill, Canal & Stock Company
vs. Plff in Error,
William Johnson

This cause was argued by Mr. S. M. Wilson of counsel for the plaintiff in error, and Mr. O. B. Wallace, of counsel for the defendant in error.

Wm Barney Collector &c.,
vs. Plff in Error
Alexander Rickard et al.
Defendants &c.

This cause was argued by Mr. Assistant Attorney General Whitney of counsel for the Plaintiff in error. No counsel appeared for the defendants in error.

A. P. Heeberger Collector &c.,
vs. Plff in Error,
Wright & Taussig Oil Cloth Manufacturing Co

This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Leckie, was appointed counsel for the defendant in error to file a printed argument within one week and counsel for the plaintiff in error to file a reply thereto within three days thereafter.

Thursday, January 31st, 1895. Continued.

No. The Richmond Silver Mining Co. vs. Fitzin Error, Sebastian Hornsbeeper, Admr. — Ordered by the Court that the cause &c. and the same &c., hereby, passed until case No. [illegible]

No. The Newport News & Mississippi Valley Co. vs. Fitzin Error. — This cause was argued by Mr. Maxwell Strudwick, of counsel for the plaintiff in error, and Mr. Hamilton Parks, of counsel for the defendant in error, and leave was granted counsel for the defendant in error to file a printed argument within one week and counsel for the plaintiff in error to file a reply thereto within three days after the same is filed.

Proclamation being made the Court is adjourned until Monday next, at twelve o'clock.

Monday February 11th 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
John M. Wright Esquire, Marshal,
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr. A. H. Garland it is ordered that James F. Humphrey Esquire, of Purcell, Indian Territory, and Joseph F. Mullen, Esquire, of Fort Smith State of Arkansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in his behalf by Mr. William A. Maury it is ordered that Theodore E. Burton, Esquire, of Cleveland, and John Marshall Smedes, Esquire, of Cincinnati State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn

Monday, February 21st, 1876

On motion first made to the Court in this behalf by Mr A. M. Keller it is ordered that Robert T. Bell, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Leonard Matlubowski the ordered that John L. Tyle, Esquire, of Huron, State of South Dakota, Charles A. Keiquin Esquire of Washington, District of Columbia, and John L. Semple, Esquire of Camden, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

The Consolidated Roller Mill Company, Appellant
vs. Appeal from the Circuit Court of the United States for the Northern District of Illinois.
70. The Barnard & Leas Manufacturing Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Mr Justice Davis

Clyde Mallox,
vs. } In Error to the District
The United States. } Court of the United States
for the District of Kansas.

606

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Shiras,
Mr. Justice Gray
Mr. Justice White

Ex parte: In the matter of
Lafayette Hudson, } On consideration
Petitioner. } of the petition for
a writ of mandamus herein, the return to the rule to show cause, and the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the petitioner is entitled to the writ of mandamus to the District Judge for the Western District of Arkansas commanding him to admit the petitioner to bail, on his giving bond in proper form with sufficient sureties.

Per Mr. Justice Brown.

Dissenting: Mr. Justice Brewer & Mr. Justice

Monday, February 7th, 1898. Continued

Brown.

(Mr. Justice White took no part in the decision of this case.)

710. George Andrews, Appellant, v. Benjamin Swartz, Sheriff of the County of Warren, in the State of New Jersey. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

711. C. & A. Potts & Co., Appellant, v. Frank F. Creager et al. On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

William Stuart,
151 vs. Plff in Error,
The City of Chicago. Def't

It is ordered by the Court that the mandate in this cause issue at once.

Per Mr. Chief Justice Fuller.

Sts W. S. Ballestal, Plff in Error, vs. The United States
Sts Isabe Benard, Plff in Error, vs. The United States

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Alonzo Gerard,
1163 vs. Appellant,
The Diebold Safe and Lock Company.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

881. H. P. Layward et al. vs. Iliff in Error, Thomas Nunan et al. On consideration of the motion for an order granting the Clerk leave to issue the Mandate in this cause, It is now here ordered by the Court that said motion be and the same is hereby granted.

Per Mr. Chief Justice Fuller

Arthur D. Anderson vs. Iliff in Error, The United States. On consideration of the motion for leave to prosecute this cause in this Court in forma pauperis, It is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Fuller

196. The Aetna Life Insurance Company vs. Iliff in Error, The County of Lyon, in the State of Iowa. In Error to the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of

said Circuit Court in this cause be, and the same, is hereby affirmed with costs.

Per Mr. Chief Justice Marshall

The County Court of Mayne County, Plff in Error,
vs.
The Society for Manufactures,

1824. In Error to the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by Counsel. On consideration whereof, the Court being equally divided, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of West Virginia.

Per Mr. Chief Justice Marshall

Thomas R. McGahan & R. Smith and E. P. Smith,
vs.
The National Bank of Rondout, New York,

1824. Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript

Monday February 7th 1870 [illegible]

States for the District of South Carolina and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice [illegible]

Ex parte; In the matter of Overton R. Chapman, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein and of the argument of Counsel thereupon had, and full in support of as against the same, It is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice [illegible]

Dissenting:
Mr. Justice Field

Ex parte; In the matter of John A. Shaver, Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein and of the argument of Counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied

Per Mr Chief Justice [illegible]

Dissenting:

Order.

It is ordered by the Court that mandates issue in all cases decided prior to the first day of January, 1895, when applied for, except in cases docketed and dismissed under the 9th rule.

Per Mr. Chief Justice Fuller.

The Pacific Coast Steamship Company, Claimant of the Steamship "Idaho," her engines &c., Appellant,
v.
The United States.

1893.

Appeal from the Circuit Court of the United States for the District of Washington.

This cause having been called to the attention of the Court by Mr. Assistant Attorney General Conrad, of counsel for the appellee, and a stipulation to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The United States,
v. Appellant,
John F. Davenport.

515.

On motion of Mr. Assistant Attorney General Conrad, leave is hereby granted the Clerk to issue the mandate in this cause, per stipulation of Counsel.

Monday, February 5th, 1894, Continued

904. Joel Parker Whitney et al., Appellants, vs. The United States. Mr. Assistant Attorney General Conrad, of counsel for the appellee having filed in open Court the following Certificate:

"United States of America ss.
In the United State, Court of Private Land Claims, Santa Fe District.

Joel Parker Whitney, Juan Lucero, Luciano Lucero, Juan Cristoval Lucero, Jose de Jesus Lucero, Juan Teodoro Lucero, Jose Telesforo Lucero, Bernard S. Rodey and Hannah Harris, Petitioners,

vs.

905. The United States of America, Defendants.

Manuel Hurtado and Jose Antonio Gallego, Plaintiffs,

vs.

946. The United States of America.

I, James H. Reeder, Clerk of the Court of Private Land Claims of the United States, do hereby certify that on March 2nd, 1893, Joel Parker Whitney, Jose Juan Lucero, Luciano Lucero, Juan Cristoval Lucero, Jose de Jesus Lucero, Juan Teodoro Lucero, Jose Telesforo Lucero, Bernard S. Rodey and Hannah Harris presented to said Court, and filed in said Clerk's office, their petition against the United States, praying the confirmation of

certain Private Land Claim known as The Canada de Cochiti Land Grant, and that on March 3d 1893, Manuel Mudado and Jose Antonio Gallego presented to said Court, and filed in said Clerk's office, their petition against the United States, praying the confirmation of the same Private Land Claim, to wit:- The Canada de Cochiti Land Grant; that on September 21st, 1894, an order was entered by said Court consolidating the said two causes, and directing that they be tried together as one cause; that said two causes were tried together as one cause the trial thereof continuing from day to day from said September 21, 1894, until September 29, 1894, when said last mentioned day to wit: September 29, 1894, the said Court rendered and entered of record its decree, confirming the said Cochiti Land Grant to the heirs and legal representatives of Antonio Lucero, the original grantee thereof under whom all of said parties claimed, and determined the location, area and boundaries of said Canada de Cochiti Land Grant to be as follows: "said grant of land is bounded on the North by the Old Pueblo of Cochiti, which is situate on the Mesa of Cochiti on the South side of the Canada of Cochiti, which point is about eight thousand, one hundred and ninety feet in a northerly direction from the northwest corner of the lands of the Indians of the Pueblo of Cochiti as the same have been fixed and determined by the

Monday, February 4th, 1895. [illegible]

Survey and Patent of the same by the United States of America; on the east by the Rio Grande del Norte (otherwise called the Rio Grande); on the South by the lands of the Pueblo Indians, as the same have been fixed and located by the Survey and Patent thereof to the Governor of the Pueblo of Pecos by and under the authority of the United States of America; and on the West by the said old Pueblo of Pecos above referred to as the Northern boundary of the grant hereby confirmed, which said grant of land contains [illegible] acres.

And on said September 29th, 1894, the said Petitioners in said consolidated cases filed their motion for appeal from the said decree to the Supreme Court of the United States from said appeal on the said day granted by said Court by an order thereof made and entered of record on said September 29th.

Witness my hand and the seal of said Court of Private Land Claims this twenty-fifth day of January, A.D. 1895.

James H. Reeder,
Clerk of the Court of Private Land Claims of the United States.

Mr. [illegible] moved the Court to docket and dismiss the cause pursuant to the [illegible] and it appearing to the Court that the appellants have failed to have their cause filed and docketed in accordance with the rules of this Court [illegible]

It is ordered adjudged and decreed by this Court that this appeal from the Court of Private Land Claims be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby remanded to the said Court of Private Land Claims to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

632. The Illinois Central R. R. Co. vs. Jeffris Dow; Mary E. Reed

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Josiah Pillsbury, in support of the same, and Mr. A. M. McCampbell in opposition thereto.

538. J. A. Shiloh vs. Jeffris Dow. The Alley Contract of Montgomery

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. A. Shaver, in support of the same, and Mr. A. E. Reese, in opposition thereto.

Andrew Brown, surviving Partner &c., et al., vs. Appellants, John B. Hobergate et al.

On motion of Mr. Frederic D. McKenney, in behalf of

Monday, February 7th, 1876. Continued.

leave is hereby granted the Clerk to issue the mandate in the cause.

876. Joseph A. Davidson et al., vs. Griffin Green, The Mexican National R. R. Co. and The Mexican National R. R. Co. vs. Griffin Green, Joseph A. Davidson et al.

These causes were submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Wilkinson, of counsel for Davidson, et al., and Mr. Treadwell Cleveland of counsel for the Mexican National R. R. Co.

129. Eliza Cooper et al., vs. Stewart Newell et al.

On motion of Mr. A. H. Garland, of counsel for the defendants in error,

leave is hereby granted the Clerk to issue the mandate in this cause.

773. Santiago Ainsa, Administrator, et al., vs. The United States.

Mr. A. B. Browne, in behalf of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause

The New York Lake Erie & Western R. R. Co.
vs.
Hoffman Bros.
Error to Fr.

In Error to the Circuit Court of the United States for the Northern District of Ohio.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned until Monday March 4th next at ten o'clock

Monday, March 4th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that James P. Hubbell, Esquire, of Norwalk, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that A. D. Follett, Esquire, of Marietta, State of Ohio, and Thomas B. Meeks, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John N. Mitchell it is ordered that H. J. Masters, Esquire of Portland State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. Lodge it is ordered that A. W. Bowles, Esquire of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Wheeler it is ordered that John D. Rusell Esquire of Covington, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Semple it is ordered that Nelson A. Perkins, Esquire of Camden, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julien T. Davies it is ordered that Howard A. Taylor Esquire of Danbury State of Connecticut be admitted to practice as an attorney [illegible] and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Joseph King, Esquire, of New York City, Edmund J. Richardson, Esquire, of Del Norte, State of Colorado, Thomas J. McDermott, Esquire, of St. Paul, State of Minnesota and Joseph F. Sunling, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Peeler it is ordered that Clarence H. Miller, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. Asher J. May it is ordered that Rufus K. Garland, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Stockslager it is ordered that William B. Wallace, Esquire, of Visalia, State of California, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion filed made to the Court in this behalf, by Mr. John P. Morgan it is ordered that Cyrus L. Keen, Esquire, of Hymenwood, Indian Territory, be admitted to practice as an attorney and Counsellor of this Court and be now sworn accordingly.

137. Cyrus L. Palmer, Appellant, vs. The Village of Corning. Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice White.

165. The Phoenix & Phoenix Railroad Company, Appellant, vs. The Territory of Arizona. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree

of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

159. Josephine P. Haldane, Plff in Error, vs. Mary A. [illegible], Def in Error. In Error to the Circuit Court of the United States for the [illegible] District of [illegible].

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that the cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial.

Per Mr. Justice [illegible]

160. James N. Brown, Plff in Error, vs. Amelia P. [illegible], Def in Error. In Error to the Circuit Court of the United States for the District of [illegible].

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

this cause be, and the same is hereby, affirmed, with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska.

Per Mr. Justice White.

The United States ex rel. Henry Vogel, Plff in Error vs. Otto Thomsen, Comptroller of the City of New Orleans. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed, with costs.

Per Mr. Justice White.

Francis A. Coffin and Percival B. Coffin, vs. The United States. In Error to the District Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Indiana, and was,

Monday, March 11th, 1895.

It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the said District Court with directions to grant a new trial.

Per Mr Justice Gray

George A. Cunningham and John P. Branch,
vs. Appellants
The Macon & Brunswick Railroad Company et al.

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Gray

Bella A. Johnson, Executrix of Robert A. Johnson, deceased, et al.,
Appellants,
vs.
The Atlantic, Gulf & West India Transit Company et al.

Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, it is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Shiras.

The St Louis & San Francisco Railway Company, Appellant, vs. John B. Eller. In Error to the Supreme Court of the State of Arkansas.

No. 179.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

Per Mr. Justice Shiras.

Monday, March 11th, 1895. Continued

The St. Louis & San Francisco Railway Company
vs. Stiff in Error,
John Stevenson.

In Error to the Supreme Court of the State of Arkansas

1741.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

per Mr. Justice [illegible]

The St. Louis & San Francisco Railway Company
vs. Stiff in Error,
M. N. Trimble,

In Error to the Supreme Court of the State of Arkansas

1745.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of

Monday, March 4th, 1895, Continued.

176. The St. Louis & San Francisco Railway Company vs. Griffin Dixon, A. N. Coulter. In Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

Per Mr. Justice Shiras.

751. The St. Louis Cape Girardeau & Fort Smith Railway Company, vs. Griffin Dixon, The State of Missouri at the relation of Edwin C. Meredith. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motion to dismiss or affirm, which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want

Monday, March 4th, 1895.

115. Anthony P. Cann, Appellant, vs. N. N. Figg and Harriet A. Figg, his wife, et al. } Appeal from the Circuit Court of the United States for the District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

153. The Norfolk & Western Railroad Company, vs. Riffin Ewen, Edmund Pendleton } In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

The Norfolk & Western Railroad Company
vs.
Edmund Pendleton.

367.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with Costs.

Per Mr. Justice Shiras.

Morgan C. Fox, as Executor of the last will and testament of Sarah M. McKibbin, deceased,
vs.
Henry C. Nicholick.

577.

Appellant,

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered, and judged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

132. R. N. Lindsay, Assessor of the Parish of Caddo, Louisiana, The State of Louisiana, The Police Jury of said Parish of Caddo, and said Parish of Caddo, The City of Shreveport, Louisiana, Appellants, vs. The First National Bank of Shreveport Louisiana, Edward Shaw Receiver. } Appeal from and Writ of Error to the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to sustain the defendants' exception and dismiss the suit.

Per Mr. Justice Shiras.

136. The F. O. Matthiessen & Wiechers Sugar Refining Company, Appellant, vs. The Steamship "Ludwig Holberg" &c.; Christopher Kuhnwehel Claimant. } Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brown.

Everett Sallonstall, Collector of Customs for the Revenue District of Boston & Charlestown,
vs. Appeal in Error,
Heibuck Gallego, Claimants.

To Error to the Circuit Court of the United States for the District of Massachusetts.

1878.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, Reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Brown.

The National Cash Register Company, Appellant
v.
The Boston Cash Indicator & Recorder Company et al.

Appeal from the Circuit Court of the United States for the District of Massachusetts

555.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed, by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Brown.

D. A. Sykes, William Marshall and George P. Philips, Appellants
v.
Thomas Watson and The Delta Oil Fire Feed Company

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration

whereof this now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

206. The Black Diamond Coal Mining Company vs. Jeff. Davis, Jno. The Excelsior Coal Company. In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial.

Per Mr. Justice Brown.

207. [illegible] vs. [illegible] The United States. In Error to the District Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Oregon, and was argued by

Counsel. On consideration whereof it is now
here ordered and adjudged by this Court that the
judgment of the said District Court in this
cause be and the same is hereby affirmed.

(per Mr. Justice Brown)

The United States,
Appellant,
vs.
198. The Berdan Fire Arms Manufacturing Company
and
The Berdan Fire Arms Manufacturing Company,
Appellant,
vs.
135. The United States

(Appeals from the Court of Claims)

This cause came on to be heard on the transcript of the record from the Court of Claims, on the printed and cross appeal, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

(per Mr. Justice Brown)

(Mr. Justice White took no part in the decision of these cases.)

1111. N. L. Ard, Pl'ff in Error, v. Alexander Brandon. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice Brewer.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

1112. N. L. Ard, Pl'ff in Error, v. C. N. Prall. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that

this cause be and the same is hereby remanded to the said Supreme Court for further proceedings in accordance with the opinion of this Court.

Per Mr. Justice Brewer.

Mr. Justice Gray was not present at the argument and took no part in the decision of this cause.)

163. Mary E. Wood, Plaintiff in Error, vs. J. M. Beach. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this cause.)

164. William Maddox, Plaintiff in Error, vs. Nelson Buckheim. In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the

State of Kansas and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this cause.)

The Corinne Mill & Irrigation Company, Plaintiff in Error, v. William Johnson. In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

William Simms, Plaintiff in Error, v. The United States. In Error to the District Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Missouri, and was

argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr Justice Brown

No. E. L. Ernest, Plaintiff in Error to the Supreme Court of the State of Missouri.
vs.
The State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Brown

1775. Harry F. Batchelor, Plaintiff in Error to the Circuit Court of the United States for the District of Montana.
vs.
The United States.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed and that this cause be, and the same is hereby,

remanded to the said Circuit Court with directions to enter judgment ~~in favor~~ for the defendant.

Per Mr. Justice [illegible]

56. The Citizens Shrimp Canning Association, Plff in Error, vs. The County of [illegible] } In Error to the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a judgment in conformity with the opinion of this Court.

Per Mr. Justice Harlan

66. The United States, Plff in Error, vs. George A. Pratt and Monroe Salisbury } In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and [illegible]

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Harlan

167. The United States, Plff in Error, vs. Monroe Salisbury. In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer, and for further proceedings in conformity with the opinion of this Court.

Per Mr Justice Harlan

Monday, March 4th, 1895, Continued

168. The United States vs. Riffin Error, Monroe Salisbury — In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer, and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Shiras

169. The United States vs. Riffin Error, Monroe Salisbury. — In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed; and that this cause be, and the same is hereby Remanded to

the demurrer, and for further Proceedings in conformity with the opinion of this Court.

Per Mr. Justice Nelson

170. The United States, In Error to the Circuit Court of the United States for the Northern District of California.
vs.
Monroe Salisbury.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be, and the same is hereby, reversed; And that this Cause be, and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer, and for further Proceedings in conformity with the opinion of this Court.

Per Mr. Justice Nelson

171. The United States, In Error to the Circuit Court of the United States for the Northern District of California.
vs.
Monroe Salisbury.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this

by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer, and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Harlan.

The Pennsylvania Railroad Company, Appellant, v. The Wabash, St. Louis & Pacific Railway Company, the Solon Humphreys & Thomas E. Tutt as Receivers of said Company. } Appeal from the Circuit Court of the United States for the Northern District of Illinois.

1058.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Monday, March 4th 1895 Continued

The New Orleans City & Lake Railroad Company
vs. Error to the Supreme Court of the State of Louisiana
79. Riff in Error
The State of Louisiana & al.
The City of New Orleans.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Harlan

Pullman's Palace Car Company
vs. Error to the Circuit Court of the United States for the Western District of Missouri
146. Riff in Error
The Metropolitan Street Railway Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a judgment

favor of the plaintiff for the sum of $17,500, with interest thereon from the 30th day of March, 1888, at the rate allowed by the laws of Missouri.

Per Mr. Justice Matthews.

(Mr. Justice Bradley took no part in the consideration & decision of this cause.)

1889. Daniel M. Frost, Appellant, vs. Frederick P. M. Stevie and Jessie Stevie, his wife. } Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by Mr. [illegible] for the appellant and by Mr. [illegible] for the appellees, whereupon it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Harlan.

No. 11. The Baltimore & Potomac Railroad Company and John Carroll, Plaintiffs in Error, vs. Franklin A. Mackall, Administrator of the estate of Richard B. Mackall. } In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District

consideration whereof, It is now hereordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

The Dale Refrigerating Company, Appellant
vs.
087. Ferdinand Sulzberger Samuel Weil & Frederick Joseph doing business under the firm name of Schwarzschild & Sulzberger.

On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit and was argued by Counsel. On consideration whereof it is the opinion of this Court that the invention for which the United States patent to John J Dale was issued was under the facts stated "previously patented in a foreign country" within the meaning of those words in section 4887 of the Revised Statutes, and that the United States Patent to him expired, under the terms of that section before the expiration of seventeen years from its date.

Whereupon It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice [illegible]

Samuel Mather, Jay C. Morse, James Pickands and Joseph Millward,
vs.
Richard Ritchie.

In Error to the Circuit Court of the United States for the Western District of Michigan.

1839

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment in this cause be and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Mr. Justice Field

The Bell Silver and Copper Mining Company et al.
vs.
The First National Bank of Butte et al.

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs. And it

Monday, March 4th, 1878. Continued

this Cause be, and the same is hereby dismissed to the Supreme Court of the State of Louisiana

Per Mr. Justice Field.

3. The Pittsburg and Southern Coal Company, Plff in Error, vs. John N. Bates, Sheriff and ex officio Tax Collector for the Parish of East Baton Rouge, Louisiana

In Error to the Supreme Court of the State of Louisiana

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this Cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field,

10. The Pittsburg and Southern Coal Company, Plff in Error, vs. The State of Louisiana for the use of the Charity Hospital of New Orleans

In Error to the Supreme Court of the State of Louisiana

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

Henry D. Mayo, Isabella G. Mayo, Mathew D. Mann and Edward D. Mann, a minor, by his guardian Mary A. Mayo,

vs. Appeal from the Supreme Court of the State of California.

Edward Mayo.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

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164. The Risdon Iron & Locomotive Works,

vs. Appellant.

Philip Medart et al.

On consideration of the motion to dismiss herein, It is now here ordered by the Court that said motion be, and the same is, hereby denied, and leave is granted counsel for the appellees to argue the cause orally on such day of this term as may be hereafter determined.

Per Mr. Chief Justice Fuller.

Monday, March 11th, 1895. Continued.

773. Santiago Rivas, Admr. &c. Appellants, vs. The United States. Reconsideration of the motion to advance this cause, this now heard by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

533. J. S. Hinder, Plff in Error, vs. The City Council of Montgomery. In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

639 The Illinois Central Railroad Company, Plaintiff in Error, vs. Mary G. Brown. In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on motion to dismiss or affirm which was argued by Counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of The Lehigh Mining and Manufacturing Company, Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday, March 4th, 1895. Continued

William P. Connell, Frederick A. Lay & Herbert M. Ramey, Appellants, vs. John A. Smith. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

113. The National Bank of Rondout, Appellant, vs. David R. Smith, in his own right, and as surviving co-partner of D. R. Smith & Co. Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

897 The United States, Appellant, vs. Louis [illegible] } Appeal from the Court of Private Land Claims.

The cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

893. William Treger, Plaintiff in Error, vs. The Board of Directors of the Modesto Irrigation District, } Mr. William M. Stewart, in behalf of counsel, submitted to the consideration of the Court a motion for leave to file a printed brief in this cause.

915. John G. Moore, Appellant, vs. Joseph L. Miller, Commissioner of Internal Revenue, } On motion of Mr. Samuel Shellabarger, of counsel for the appellant, It is ordered by the Court that this cause be and the same is hereby advanced and assigned for argument after cases Nos. 893 and 894.

Monday, March 4th, 1895 continued

929. John J. Johnson Jr. Plaintiff in Error
vs.
Kate Van Hyck

M. William S. Mattingly, of counsel for the defendant in error having filed in open Court the following certificate to wit:

Court of Appeals of the District of Columbia

I, Robert Willett, Clerk of the Court of Appeals of the District of Columbia, do hereby certify that in a certain cause pending in said Court wherein John J. Johnson, Jr. was appellant and Kate Van Hyck was appellee a final judgment was rendered by said Court of Appeals on the 7th day of November A.D. 1894, in favor of the said appellee and against the said appellant, and that on the 8th day of November A.D. 1894, said appellant duly prayed an appeal to said Court of Appeals and filed a transcript of the record to remove said cause to the Supreme Court of the United States.

In testimony whereof I have hereunto subscribed my name and affix the seal of said Court of Appeals, at the City of Washington, this first day of March A.D. 1895.

Robert Willett, Clerk.

moved the Court to docket and dismiss this cause, pursuant to the 6th Rule, and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, it is ordered

dered and adjudged by this Court that the writ of error in this cause to the Court of Appeals of the District of Columbia be, and the same is hereby dismissed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Court of Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

No. 716. The Chicago, Kansas & Western Railroad Company, v. Effie Price, Clifford M. Perkins. Motions to dismiss or affirm, or dismiss were submitted to the Consideration of the Court on the record and printed arguments by Mr. J. A. Mahan in support of the same, and Mr. George R. Peck, Mr. A. P. Bolton, and Mr. H. B. Towne, in opposition thereto.

No. 900. Charles Moran et al., v. Appellants, J. C. Musgrave, Thomas Carlin et al. Petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Wade H. Peckham, in support of the same, and Mr. H. E. F. Deal, Mr. Edward Tuzky and Mr. Hamilton C. King, in opposition thereto.

870. J. W. Todd et al. vs. Hiffin Bros. The United States

Motion of Mr. John C. Fay, of counsel, for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, reassigned for argument at the foot of the call for Monday next.

934. N. N. Mallon, Administratrix, vs. Hiffin Bros. The Marietta Chair Company

Motion to amend the writ of error herein was submitted to the consideration of the Court on printed arguments by Mr. E. B. Whitney, in support of the same, and Mr. A. D. Foote, in opposition thereto.

872. Sidney S. Wailes vs. Hiffin Bros., Marion de Kalb Smith, Comptroller &c.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. John C. Fay, in support of the same, and Mr. John F. Morgan, in opposition thereto.

John N. Dumont and William C. Walker, who compose the firm of Dumont & Walker,
925. vs. Writ in Error,
N. C. Dudley, Thomas Hall, and Mrs. M. F. Sims.

In Error to the Circuit Court of the United States for the Northern District of Texas.

It appearing to the Court that the stipulation of counsel for the respective parties to dismiss this cause has been filed herefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

George F. Underhill,
926. vs. Writ in Error,
Jesse Burnett Harris.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Stuart L. Rawle, in support of the same, and Mr. F. W. Cowdrey and Mr. Joseph Hill, in opposition thereto.

Blanche Lincoln,
928. vs. Appellant,
George Barrett Allen, for

Mr. Lizbon M. Jenkins, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

Monday, March 4th, 1895. Continued

Ex parte: In the Matter of Eugene V. Debs et al., Petitioners

Mr. Frederic D. McKenney, in behalf of Counsel submitted to the consideration of the Court a motion for leave to file certain stipulations and exhibits therein

No. J. P. Stokes et al., vs. Error, The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John D. Smith, of counsel for the plaintiffs in error, and Mr. Solicitor General Conrad, of Counsel for the defendant in error.

No. James H. Reagan, vs. Error, The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Scales, of counsel for the plaintiff in error, and Mr. Solicitor General Conrad, of counsel for the defendant in error.

No. Henry N. Hinkle vs. Error, The United States

This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the defendant in error, and submitted on a printed argument by Mr. O. B. Hanum, of counsel for the plaintiff in error.

William H. Cochran et al.
vs. Plffs in Error.
The United States.

715. This cause was argued by Mr. E. T. Richardson of counsel for the plaintiffs in error, and submitted on printed arguments by Mr. C. A. Thomas and Mr. Solicitor General Conrad of counsel for the defendant in error.

Alexander Allen,
vs. Plff in Error.
The United States.

733. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Conrad, of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

Charles Lewis,
vs. Plff in Error.
The Union Savings Bank.

736. The argument of this cause was commenced by Mr. Edward Winslow Paige, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 5th 1895

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in the following order by Mr. A. H. Garland it is ordered that Martin M. Crane, Esquire, of Austin State of Texas, and John J. O'Neill, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. B. Henderson it is ordered that John P. Dunn, Esquire, of Elizabeth, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly so.

On motion filed made to the Court in this cause by Mr. David Turpie it is ordered that Elijah C. Hendricks, Esquire, of Crawfordsville, Indiana, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

Ex parte. In the matter of Eugene V. Debs et al. Petitioners. On consideration of the motion for leave to file certain stipulations and exhibits herein, it is now here ordered by the Court that said motion be and the same is hereby granted.

Per Mr. Chief Justice Fuller.

709. August Bergemann, Appellant, vs. Edmund A. Backer, Sheriff. This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed arguments within three weeks.

557. Sam Downing, alias, Sam Hickory, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed arguments within three weeks.

Tuesday, March 5th. 1895. Continued.

No. 3. John Brown, vs. The United States. This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed arguments on their behalf.

No. 84. The United States, vs. Eugenie R. Sweeney, Administratrix, &c. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. C. C. Binney, of counsel for the appellant, and Mr. Joseph H. Choate, of counsel for the appellee.

No. 756. Charles Davis, vs. The Elmira Savings Bank. Plff in Error. The argument of this cause was continued by Mr. Edward Winslow Paige, of counsel for the plaintiff in error, and Mr. Edward G. Herendeen and Mr. James C. Carter, of counsel for the defendant in error, and concluded by Mr. Edward Winslow Paige, of counsel for the plaintiff in error.

Leave was granted Mr. A. S. Hudson to file a printed brief on behalf of the Metropolitan Savings Bank.

No 3 Count Joseph Tolfenes vs Hoffman Bros & Berg & Oliver

The argument of this cause was commenced by Mr. J. F. Peeler, of counsel for the plaintiff in error, and continued by Mr. Clarence N. Miller, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Wednesday, March 6th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr. James C. Carter it is ordered that William C. Sullivan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and that a certificate of such admission be issued to him.

The Honorable Holmes Conrad appeared, and produced the following Letters Patent which were ordered to be recorded on the Minutes of the Court as follows, viz:

Grover Cleveland

President of the United States of America,

To all to whom these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Integrity and Ability of

Council of Virginia, I have nominated and
by and with the advice and consent of the
Senate do appoint him Solicitor General
and do authorize and empower him to execute
and fulfil the duties of that Office according
unto and to have and to hold the said Office, with
all the powers, privileges and emoluments thereunto of right appertaining, unto him, the said
Holmes Conrad

In testimony whereof I have caused
these Letters to be made Patent
and the Seal of the Department
of Justice to be hereunto affixed.
Given under my Hand, at the
City of Washington, the 6th day
of February in the year of our
Lord one thousand eight hundred
and ninety five and of the In-
dependence of the United States
of America the 119th.

Grover Cleveland.

By the President:
Richard Olney,
Attorney General.

503. Charles Tolbert, Adm't, vs. The Farmers Loan & Trust Co. et al
504. Lewis H. Hyde, Adm't vs. The Continental Trust Co. of N.Y. et al.
505. John F. Moore, Adm't vs. Jacob F. Miller, Commissioner

On motion of Mr. Attorney General Olney, It is
ordered by the Court that these cases be argued

argue for each side, that the Attorney General requested leave to argue the questions involved in cases Nos. 873 and 874, and that five hours be allowed each side for the argument.

Ex parte: In the matter of Lafayette Hudson, Petitioner. } Original. } On motion of Mr. A. H. Garland of counsel for the petitioner, leave is hereby granted to withdraw from the files the original bond annexed to the petition herein, on leaving a certified copy thereof.

No. 872. M. F. Ball et al., Plffs in Error, vs. The United States. } Ordered by the Court that the clerk be, and he is hereby, directed that the record herein be printed at the public expense.

No. 873. Count Joseph Pelfrey, Plff in Error, vs. George W. Crews. } The argument of this cause was continued by Mr. Clarence A. Miller and Mr. Joseph Wheeler, of counsel for the defendant in error, and concluded by Mr. J. L. Peeler, of counsel for the plaintiff in error.

The Last Chance Mining Company et al. pet. Plffs in Error,
vs. No. 321.
The Tyler Duncan Co. et al.

The argument of this cause was commenced by Mr. C. B. Hayburn of counsel for the Plaintiffs in error, and continued by Mr. Arthur Brown of counsel for the defendant in error

Proclamation being made the Court is adjourned until to-morrow at ten o'clock A.M.

Thursday March 7th 1878.

Pursuant to adjournment the Court met to-
day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White

John M. Wright Esq. Marshal.
James H. McKenney Esq. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Daniel W. Voorhees it is ordered that Arthur A. Taylor Esquire, of Petersburg, and William F. McNagny, Esquire, of Columbia City, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they severally accordingly do.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that David E. Bonner, Esquire, of Port Lavaca, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

The United States
vs. Original. vs. Complainant.
The State of Colorado

Ordered by the Court that this cause be, and the same is hereby reassigned for argument on the second Monday of the next term after the cause heretofore assigned for that day.

Henry N. Tisdale,
511. vs. Plff in Error.
The United States.

On motion of Mr. Assistant Attorney General Whitney, leave is hereby granted him to file an additional brief herein for the defendant in error.

The Southern Pacific Railroad Company,
115. vs. Appellant.
Samuel McCracken.

Appeal from the Circuit Court of the United States for the Southern District of California.

This cause having been called to the attention of the Court by Mr. Julien Ashton, of counsel for the appellee, and he having moved the Court to dismiss the cause. Therefore in pursuance of said motion it is now ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Thursday March 7th. 1872

The Southern Pacific Railroad Company
vs. Appellant
116. Joseph X. Graham et Jalon &
Jordan

Appeal from the Circuit Court of the United States for the Southern District of Texas

This cause having been called to the attention of the Court by Mr. J. Hubbard Ashton of counsel for the appellant and he having moved the Court to dismiss the cause therefore, in pursuance of said motion it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

By Mr. Chief Justice Waite

The Last Chance Mining Company et al.,
vs. Appellees
831. The Eyre Mining Company

Reargument of this cause was continued by Mr. Arthur Brown and Mr. E. R. McBride, of counsel for the defendants in error and concluded by Mr. C. A. Peabody, of counsel for the plaintiffs in error

Louis C. Slatter
vs. Appellee
770. The United States

This cause was argued by Mr. Thomas H. Talcorn, of counsel for the plaintiff in error and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error

Thursday March 7th 1895 Continued.

No. 93. Charles Tolson & al. vs. The Farmers Loan & Trust Co. et al.
No. 91. Louis Strayle & al. vs. The Continental Ins. Co. of N.Y. et al.
No. 95. John L. Magee & al. vs. Joseph A. Miller, Executor &c.

Argument of these cases was commenced by Wm. William D. Guthrie of counsel for the appellants in Nos. 93 and 91.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, March 4th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court was opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that Harold McCaffrey, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and thereupon took the oath accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that T. J. Hudson, Esquire, of Fredonia, State of Kansas, and Watson C. Squire, Esquire, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court and they took the oath accordingly.

Motion first made to the Court in this cause by Mr. Joseph N. Steele it is ordered that John H. Steele and Francis K. Carey Esquires, of the State of Maryland, and Robert H. Candler Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

531. The Last Chance Mining Company et al., vs. Affirmed Error, The Tiger Mining Company.

Motion of Mr. W. B. Hepburn, of counsel for the plaintiffs in error, leave, is hereby granted him to file an additional brief herein within five days.

532. The National Dredging Company, vs. Affirmed Error, The State of Alabama.

In Error to the Supreme Court of the State of Alabama.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed, Therefore in pursuance of said motion it is now ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

No. 5. Charles Tolbert, Appt. vs. The Texas Land & Mtg Co. et al.
" 6. Lewis H. Hyde, " vs. The Continental Trust Co. of Md. et al.
" 7. John D. Moore, " vs. Joseph L. Miller, Commissioner &c.

The argument of these cases was continued by Mr. William L. Marbury and Mr. Clarence A. Seward, of Counsel for the appellants in Nos. 5 and 6 and Mr. Cleveland Dodge, Attorney General Whitney, in behalf of Defendants

Proclamation being made the Court is adjourned, until Monday next at twelve o'clock.

Monday, March 11th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. George T. Edmunds it is ordered that Gilbert R. Fox, Esquire, of Norristown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf, by Mr. James Coleman it is ordered that Willis B. Smith, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

115. Henry Bentell, vs. Daniel Magone late Collector of the Port of New York. } In Error to the Circuit Court of the United States for the Southern District of New York.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court, with directions to grant a new trial.

Per Mr. Justice Washington

179. Thomas T. Cooper Collector of Customs for the District of Philadelphia, vs. John Dobson and James Dobson, Copartners, trading as John Dobson & Son, James Dobson. } In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the

Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Shiras

181. Erwin Davis, Appellant, vs. Angelica Cornwall. Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Shiras

182. Erwin Davis, Appellant, vs. Pierre B. Cornwall. Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and

Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice

555. Catherine Goldey vs. The Morning News of New Haven.) In Error to the Circuit Court of the United States for the Eastern District of New

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice

The Chief Justice announced that after the disposition of the cases on the call for to-day the Court will take a recess until Monday the 25th instant.

709. Charles Merchal, vs. J. C. Hagerman, Attorney-

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the

On consideration of the petition for a writ of Certiorari herein to the

Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 926. George F. Underhill, Plaintiff in Error, vs. Jose Manuel de Hernandez. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari, to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

No. 928. Theodore Limbert, Appellant, vs. George Barrell, Sheriff. On consideration of the motion to advance the cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the case assigned for argument on the fourth Monday of March instant after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

William Burney, late Collector &c.
215. vs. Affirmed,
Alexander Rierdon et al. Executors &c. by the Court
that leave be
granted Comm-
el in the case of Burney, Collector &c. vs. Rierdon et al
No. 215 on the docket for the present term to file
briefs in this case within one week upon the
points which are supposed to be common to
both cases.

Per Mr. Chief Justice

The Texas & Pacific Railway Co.,
631. vs. Appellant,
The Interstate Commerce Commission Dismissed,
The Cincinnati, New Orleans & Texas by the Court
Pacific Railway Co. et al., that these cases
vs. Appellants, having been
727. The Interstate Commerce Commission. settled they
and are hereby
The Interstate Commerce Commission restored to the
832. vs. Appellant, docket for re-
The Cincinnati, New Orleans & Texas argument.
Pacific Railway Co. et al.

Per Mr. Chief
Justice

John Neel, Administrator of
Tobins Mine, deceased
188. vs. In Error to the Circuit
The Pennsylvania Company Court of the United States
for the Northern Dis-
trict of Ill.

This cause came on to be heard on the transcript of

the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof it is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to remand the cause to the State Court with costs against the defendant.

Per Mr. Chief Justice Fuller

James Henderson et al., Claimants of the Steamship "Caledonia" vs. Appellants, The Mayor &c. of Baltimore. } Appeal from the Circuit Court of the United States for the District of Massachusetts.

107

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller

Dissenting:
Mr. Justice Brown,
Mr. Justice Harlan and
Mr. Justice Brewer

125. Joel B. Erhardt, Collector &c., vs. Jeff in Error. Josephine [illegible] } On motion of Mr. Solicitor General Conrad & Leonard for the plaintiff in error leave is hereby granted the Clerk to issue the mandate in this cause.

911. John N. Dreland, vs. Jeff in Error. The United States. } Mr. Solicitor General Conrad & Leonard for the defendant in error, submitted the consideration of the Court on motion to [illegible]

912. John N. Dreland, vs. Jeff in Error. The United States. } [illegible]

The State of New York, vs. Appellant The United States. } The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Conrad Mr. Assistant Attorney General Whitney and Mr. Assistant Attorney General Dodge, in support of the same, and Mr. H. A. Beach, in opposition thereto.

613. Herman Spurr and Hans Hansen, vs. Jeff in Error, The United States. } On motion of Mr. Solicitor General, Conrad & Leonard for the defendant in error, it is ordered by the Court that the mandate in this cause do [illegible] the judgment [illegible]

Court relates to Herman Stang the issued thereon.

The United States
vs. Appellant
The Berdan Firearms Manufacturing Company.
And
The Berdan Firearms Manufacturing Company
vs. Appellant
The United States

On motion of Mr. George L. Bouvett, counsel for the Berdan Firearms Manufacturing Co., leave is granted to the Clerk to issue the mandate in these cases.

The United States
vs. Appellant
Johnson Bluenfeather, Indian Chief

The motion to recall the mandate and reform the judgment herein heretofore entered to the conformance of the Court by Mr. Charles Brownell, in support of the same, and Mr. Assistant Attorney General Dodge, in opposition thereto.

Joseph L. Wile
vs. Appellant
Martha Ann Wile

Mr. M. A. Woods, in behalf of counsel for the defendants in error, suggested the death of Mary Ann Boling, one of the defendants in error in this cause, and moved the Court to make James H. Boling, John C. Boling, Robert N. Boling, Edward F. Boling, Minnie Johnson and her husband A. Johnson, Charles C. Boling and Mary E. Boling, heirs at law of said

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Monday, March 7th, 1870. Supreme Court

Ann Boling, Parties defendants in error herein. Whereupon it is now ordered by the Court that the said Elmer H. Boling, John W. Boling, Robert F. Boling, Edward F. Boling, Minnie Johnson and her husband R. N. Johnson, Charles C. Price and Mary E. Price, heir at law of Mary Ann Boling, deceased, be and they are hereby, made parties defendants in error in this

No. 74. John H. Colvin, vs. The City of Jacksonville. Appellant. On motion of Wm. H. Cooper, of Counsel, for the appellee, It is ordered by the Court that this cause be and the same is hereby, advanced pursuant to Rule

No. 74. John H. Colvin, vs. The City of Jacksonville. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Wm. H. Bisbee of Counsel for the appellant and Wm. H. Cooper of Counsel for the appellee.

No. 73. Charles Bloer Adm'r, vs. Reclamation Land Co., et al.,
No. 74. Louis H. Hyde, Appt. vs. Continental Trust Co. of N.Y. et al.
No. 75. John G. Moore Appt. vs. Joseph S. Miller

The argument of these causes was continued by Mr. Assistant Attorney General Whitney on behalf of the United States, and Mr. Murphy of Counsel for the appellant in No. 74.

Proclamation being made the Court is adjourned until tomorrow

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion filed made to the Court in this behalf by Mr. George F. Edmunds it is ordered that William H. H. Hart, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counselor at this Court and he was sworn accordingly.

No. 1. Charles Pollock, Appt., vs. The Farmers Loan & Trust Co. et al. Motion to dismiss, filed, vs. The Continental Trust Co. of N. Y. City, et al. No. 2. John E. Morse, Appt., vs. Joseph L. Miller, Commissioner, etc.

Reargument of these cases was continued by Mr. Attorney General Olney in behalf of the United States, Mr. James C. Carter, of counsel in behalf of the appellees in No. 1, and Mr. Joseph H. Choate, of counsel for the appellants in No. 1, et al.

Proclamation being made the Court is adjourned until to-morrow

Wednesday, March 27th, 1895

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 593. Charles Felton, Adm'r, vs. The Farmers Loan & Trust Co. et al.
No. 594. Lewis A. Hyde, Adm'r, vs. The Continental Trust Co. of N.Y. City et al.
No. 595. John D. Moore, Adm'r, vs. Joseph L. Miller, Executor, et al.

Reargument of these causes was concluded by Mr. Joseph H. Choate of counsel for the appellants in Nos. 593 and 595.

No. 849. Dabe Beard, Plff in Error, vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by John A. Rogers of counsel for the plaintiff in error, and Mr. Assistant Attorney General Dickinson of counsel for the defendant in error.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. George F. Edmunds it is ordered that William A. A. Hart, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly

No. 1. Charles Pollock, Appt., vs. The Farmers' Loan & Trust Co. et al.
No. 2. Louis A. Nyce, Appt., vs. The Continental Trust Co. of Baltimore et al.
No. 3. John F. Moore, Appt., vs. Joseph L. Miller, Commissioner &c.

Reargument of these cases was continued by Mr. Attorney General, on behalf of the United States, Mr. James C. Carter, of counsel for the appellee in No. 1, and Mr. Joseph H. Choate, of counsel for the appellants in Nos. 1 and 2.

Wednesday, March 8th, 1893

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 3. Charles Pilcher, Adm'r, vs. The Farmers' Loan & Trust Co. et al. Argument commenced by Mr. Louis H. Hyde for appellant.

No. 4. Louis H. Hyde, Appellant, vs. The Continental Trust Co. of N.Y. City et al. Argument commenced by Mr. John L. Morse for appellees. Joseph H. Miller, Esq., for appellees.

Reargument of these causes was concluded by Mr. Joseph H. Choate of counsel for the appellees. Mr. [illegible] and Mr. [illegible] for appellees.

No. 842. Dabe Beard, Plaintiff in Error, vs. W. Riffin Enos, The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by [illegible].

John A. Rogers, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Dickinson, of counsel for the defendant [illegible].

Nos. 1, 2, 3. George F. Bedford, vs. Wm. Williamson et al. and Elvin Pierce, vs. Wm. Williamson et al. These causes were argued by Mr. H. A. Bullard, of Counsel for the plaintiffs in error, and submitted on printed arguments by Mr. C. C. Lancaster, of Counsel, for the defendants in error.

No. 34. James Gillilan et al. vs. Appellants. Henry E. McKee, Appellee. Mr. Nathaniel Wilson, of Counsel, suggested the death of Edward N. Lemon, one of the appellees herein, and moved the Court to make Robert Lemon, Administrator of the said Edward N. Lemon, a party appellee in this cause. Whereupon it is, now here ordered by the Court that the said Robert Lemon, Administrator of Edward N. Lemon deceased, be and he is hereby made a party appellee in this cause.

No. 103. James Gillilan et al. vs. Appellants. Henry E. McKee, Appellee. On motion of Mr. A. B. Linall, of Counsel for the appellants, It is ordered by the Court that this cause be heard and determined with the following causes, viz. No. 103. James Gillilan et al. Appts. vs. Henry E. McKee et al. No. 104. Henry E. McKee Appt. vs. Robert Lemon, Administrator &c. No. 105. Robert Lemon, Admr. &c. Appt. vs. Henry E. McKee et al. No. 111. John L. McKeen Exrs. &c. Appt. vs. Henry E. McKee et al.

These causes were submitted to the consideration

Wednesday, March 5th, 1856, Continued

of the Court on the part of Lemon Adm'r, and Thurmond
& Black on the records and a Printed argument
by Mr. James Coleman and Mr. Nathaniel Hudson
for Deft.

Wm. & Henry E. McKee, Appt's vs. Robert Lemon Administrator &c
Robt. Lemon Adm'r &c. Appt's vs. Henry E. McKee &c.
Henry E. McKee Appt's vs. Charlotte & Elizabeth [illegible]

The argument of these cases to-day
commenced by Mr John J. Lloyd of counsel
for McKee.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Monday, March 11th, 1895.

Pursuant to adjournment the Court
today attends.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray } Associate
David J. Brewer } Justices
Henry B. Brown
George Shiras Jr.
Edward D. White

John M. Knight, Esquire Marshal,
James H. McKenney, Clerk.

Proclamation being made the proceedings

On motion it is ordered that Andrew B. Duvall is recognized as Attorney of Maryland, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was duly sworn accordingly.

Robert M. King, Appellant, } Appeal from the Circuit Court
vs. } of the United States for the
H. S. Jackson, Sheriff, etc. } Western District of Tennessee.

This cause having been called to the attention of the Court by Mr. Don M. Dickinson, counsel for the appellant, and he having suggested to the Court

the appellant therefore in pursuance of said suggestion. It is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed.

per Mr. Chief Justice

The Inland & Coastwise Transportation Co. of Baltimore et al. vs. Joseph Cornell et al. Appellants.

159

On motion of Mr. Mason R. Richardson in behalf of counsel for the appellants

leave is hereby granted the Court to amend the mandate in

P. C. Mullingly, Adm'r &c., vs. The Northwestern Virginia Railroad Co. et al. Appellant.

140.

This cause was submitted to the Court on the record and printed arguments by Mr. W. L. Cole, of counsel for the appellant and Mr. John A. Hutchinson of counsel for the appellees.

121. Henry E. McKee, App't. vs. Robert Lamon, Adm'r &c.
225. Robert Lamon, Adm'r &c. dec'd, App'ts vs. Henry E. McKee
226. Henry E. McKee, App't vs. Charlotte [illegible]

The argument of these cases was continued by Mr. John J. Mead and Mr. Jos. Chandler, of counsel for McKee, and Mr. Enoch Totten, of counsel for Latrobe, Executrix &c., and concluded by Mr.

Monday, March 6th, 1893. Continued

203 James Lilliston et al. Appls. vs. Henry E. McKee et al.
Appl. Leland D. McKeen, Executor, Appl'ee. Stipulation of
Agreement of these Cases was Com
menced by Mr. Hoge & Applegate, Counsel
for McKeen, Executor &c.

Proclamation being made the Court is adjourned,
until tomorrow at twelve o'clock.

Friday, March 8th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court [illegible]

On motion first made to the Court in this behalf by Mr. A. S. Henkle it is ordered that Arthur H. Nelligan, Esquire, of San Antonio, State of Texas, be admitted to practice as attorney and counsellor of this Court and he [illegible] accordingly.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Peter White, Esquire, of Marquette, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he [illegible] accordingly.

On motion first made to the Court in this behalf

by Mr. S. H. Lehmann it is ordered that Talle-
Leydecker Esquire, of St. Louis, State of Missouri,
be admitted to practice as an attorney and
counsellor of this Court and hereafter appear
accordingly.

On motion first made to the Court in this be-
half by Mr. S. H. Whitney it is ordered that
James B. Strong Esquire, of Buffalo, State of
New York be admitted to practice as an attorney
and counsellor of this Court and hereafter appear
accordingly.

Charles P. Bennett
vs. Writ of Error.
The United States

Mr. A. N. Dear, in behalf
of Counsel for the Plaintiff
in error, submitted to the
Consideration of the
Court a motion for leave to prosecute this Cause,
in forma pauperis and that the record be print-
ed at public expense.

The Boston & Fitchburg Rail-
road Company,
vs. Writ of Error,
Charles G. Whiting.

This Cause was sub-
mitted to the Consider-
ation of the Court on
the record and print-
ed arguments by
Mr. James Stone of Counsel for the Plaintiff in
Error and Mr. Charles H. Needham and Mr. John
D. Cotton, of Counsel for the defendant in error,
and leave was granted to Counsel for the Plaintiff
in error to file additional Brief within ten days

Friday, March 5th, 1875.

203. James Gilfillan et al. Appts. vs. Henry C. McKee et al.
Appl. John D. McPherson Executor vs. Appl & Henry McKee et al

The argument of these causes was continued by Wm. A. J. Dewitt of counsel for Wm. Ellis Cochrane and Wm. Enoch Allen, of counsel for Charlotte V. Latrobe, Executrix &c, and concluded by Wm. Colleton Carlisle, of counsel for McPherson Executor &c, and the causes were submitted on a printed argument by Wm. Andrews & Stewart of counsel for Gilfillan et al.

J. H. Todd et al,
892. vs. Appeal from Circ.
The United States.

Ordered by the Court that this cause be, and the same is hereby reassigned for argument on the 25th instant after the causes heretofore assigned for that day and the time for argument limited to one hour for each side.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock M.

Monday, March 5th, 1894.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered, that Sanford A. Dudley Esquire, of Boston, State of Massachusetts, be admitted, to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that William McAdoo, Esquire, of New York City, be admitted, to practice as an attorney and counsellor of, this Court and he was sworn accordingly.

219. Anthony F. Seeberger, Collector of Customs for the Port & District of Chicago
vs.
Wright & Lauritzen Bottle and Manufacturing Company

In Error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Justice Brown

J. D. Starkey, N. J. Kendrick, Morgan Miller et al
vs.
The United States.

In Error to the District Court of the United States for the Southern District of Alabama

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed

James D. Fields Jr. Receiver of
the Morristown & Cumberland Gap
Railroad Company,
vs. Appellant
John Coleman, The Atlantic Trust
Company Mal

Appeal from the
Circuit Court of
the United States
for the Eastern
District of

This cause came on to be heard on the transcript
of the record from the Circuit Court of the United
States for the Eastern District of Tennessee, and
was argued by Counsel. On consideration whereof,
It is now here ordered, adjudged, and decreed,
by this Court that the order of the said Circuit
Court in this cause of January 31st, 1894, over-
ruling the motion of appellant to vacate the
order appointing a temporary receiver and,
directing him to take possession of the railroad
property &c. and the same is hereby set aside,
costs in this Court to be paid by the appellee;
And that this cause be, and the same is hereby,
remanded to the said Circuit Court for further
proceedings not inconsistent with the opinion
of this Court.

Per Mr. Justice Brewer.

Henry N. Pirtle,
vs. In Error to the Circuit Court
The United States of the United States for the
Eastern District of Tennessee.

No.
This cause came on to be heard on the transcript,

States for the Eastern District of [illegible] was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice [illegible]

100. Jacob Michels, Appellant, vs. George P. [illegible] } Appeal from the Circuit Court of the United States for the Western District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Gray

Ann Morgan, guardian of Robert Morgan, a minor, Jacob Campbell, and M. A. Arnold, Appellants, vs. J. E. Potter, guardian of Robert Morgan, and Sarah Lee Williams, as next friend of said Robert Morgan, a minor. } Certificate from the United States Circuit Court of Appeals for the Eighth Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals

to the Eighth Circuit, and was argued by counsel. On consideration whereof it is the opinion of this Court that the first question certified must be answered in the negative.

Whereupon it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

Charles P. Bennett vs. The United States. On consideration of the motion for leave to proceed in forma pauperis and that the record herein be printed at the public expense, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1892. The State of New York, Appellant, vs. The United States. It is ordered by the Court that the further consideration of the motion to dismiss herein be, and the same is hereby, postponed until the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

629. The United States, Appellant, vs. Queen Dowager, Princess of [illegible]. On consideration of the motion to recall the mandate and remit the judgment in [illegible] and [illegible]

Monday, March 15th, 1897 continued

arguments of Counsel thereupon had, in support of and against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

911. John A. Durland Plaintiff in Error, v. The United States.
912. John A. Durland Plaintiff in Error, v. The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases are assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

162. Lucien Baker, Appellant, v. Samuel N. Wood, George Taylor, Administrator of N. C. Beckwith, deceased, E. M. Holland, William S. Peck.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby,

reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with direction to enter a decree for complainant in conformity with the opinion of this Court.

Per Mr. Chief Justice Fuller.

The Chicago Kansas & Western Railroad Company vs. Clifford A. Parkins. In Error to the Supreme Court of the State of Kansas.

No.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

The Mexican National Railroad Company vs. Joseph A. Davidson. On a certificate from the United States Circuit Court of Appeals for the Second Circuit.

500.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is ordered by this Court that the opinion of the

Monday, March 24, 1890. Continued

Court that both questions certified must be answered in the negative.)

"Whereupon, It is now here ordered, by this Court that the said certificate be sent to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

876. Joseph A. Davidson, N. Piff in Error, v. The Mexican National Railroad Company. } On certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that both questions certified must be answered in the negative.

"Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

The State of California, Complainant, v. Southern Pacific Company. } Bill in Equity.

This cause came on to be heard on the pleadings and proofs, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the

amended bill of complaint herein be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan and
Mr. Justice Brewer.

110 The Texas & Pacific Railway Company et al., vs. Jeffries Exrx. A. De Cordova. In Error to the Court of Appeals of the State of Texas.

This cause having been called to the attention of the Court by Mr. David A. Duncan, in behalf of counsel, and a motion by counsel for the plaintiffs in error to dismiss the cause having been filed, therefore in pursuance of said motion it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

111. The Texas & Pacific Railway Company et al., vs. Jeffries Exrx. A. Wilson. In Error to the Court of Appeals of the State of Texas.

This cause having been called to the attention of the Court by Mr David A. Duncan, in behalf of Counsel, and a motion by counsel for the plaintiffs in error

in pursuance of said motion, It is therefore ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per M. Chief Justice

751. The St. Louis, Cape Girardeau & Fort Smith Railway Co., Plff in Error, vs. The State of Missouri at the relation of Silvain [illegible], Defendant in Error.

On motion of Mr. David P. Dyer, in behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

770. George Andrews, Appellant, vs. Benjamin Howell, Sheriff &c.

On motion of Mr. William A. Snyder, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

946. Lem Moon Sing, Appellant, vs. The United States.

Mr. Maxwell Evarts, of counsel for the appellant, submitted to the consideration of the Court a motion to [illegible]

382. James S. Campbell et al., Plffs in Error, vs. Richard S. Newell,

On motion of Mr. N. G. Ashford, leave is hereby granted Mr. George

R. Reynolds to withdraw his appearance as
counsel for the plaintiffs in error in this case.

No. 1423. The Madison Cotton Mills, Plffs in Error, vs. Joseph Bean. The petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, now submitted to the consideration of the Court on printed arguments by Mr. Alfred Russell in support of the same and Mr. Edwin H. Conley in opposition thereto.

No. 1754. James A. Lowe, Admr &c., vs. Kelly, Exr &c. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on an agreed statement of facts and printed arguments by Mr. George A. Jackson in support of the same, and Mr. Leigh R. Page in opposition thereto.

(Proclamation being made the Court is adjourned until Monday next at twelve o'clock.)

Monday, March 9th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in the behalf of Mr. George C. Hazelton it is ordered that Milton C. Mack, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the behalf of Mr. John J. Reed it is ordered that Carlos F. Ulbrich Esquire, of Stockton, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the behalf

Monday, March 25th, 1895, Continued

On Mr. Frederic D. McKenney it is ordered that David M. Neuberger, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin P. Whiting ordered that Thomas F. McGarry, Esquire, of Grand Rapids, and George A. Farr, Esquire, of Grand Haven, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Sherman Hoar, Esquire, of Waltham, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas C. Hatton,
vs.
The United States

In Error to the District Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in

this cause be and the same is hereby dismissed
per Mr. Justice White

872. Sidney J. Wailes, Plaintiff in Error, vs. Marion de K. Smith, Comptroller of the Treasury of the State of Maryland. In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on a motion to dismiss which was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice White

815. William A. Cochran and Robert M. Sayre, Plaintiffs in Error, vs. The United States. In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said District Court

this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said District Court with directions to grant a new trial.

Per Mr. Justice Brown.

The United States,
889. vs. Appellant. Appeal from the
Eugenia N. Sweeny, Administratrix of Thomas W. Sweeny, deceased. Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed, and that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.

Per Mr. Justice Brown.

Redmond, Fox & Fox Co. et al.
890. vs. Appellants. Appeal from the Circuit Court of the
Town Property Company, Limited, United States for the
Portland Dock & Rail Company, Limited, District of Maine.
and Thurston, Receiver.

This cause came on to be heard on the transcript of

for the District of Indiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court, for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Bradley

754 Willie Johnson, alias Willie Overton, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Bradley

755 James A. Reagan, Plaintiff in Error, vs. The United States. In Error to the District Court of the United States for the West[illegible] District of [illegible]

This cause came on to be heard on the transcript of

the record from the District Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Gray.

W. M. Walton, Administrator, &c., of the estate of Lillian Dalby, deceased, Plaintiff in Error, v. Lowell C. Glenwood. On consideration of the motion to amend the writ of error herein, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that, upon the filing of a stipulation signed by counsel entering the name of Lowell C. Glenwood for that of W. M. Walton as the party plaintiff in error in this cause,

Per Mr. Justice Gray.

1895. The Wabash Western Railway Company, Appellant, v. Joseph Brown. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here

decreed by the Court that said petition be and the same is hereby granted.

per Mr. Chief Justice Fuller.

946. Lem Moon Sing, Appellant, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the third Monday of April next.

per Mr. Chief Justice Fuller.

138. Thomas Barden, Appellant, vs. The Land and River Improvement Company. Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

W. L. Johnson, Captain U. S. Navy, Appellant
No. Appeal to Supreme Court of the United States.

On motion of Mr. Solicitor General Conrad, leave is hereby granted Lieutenant Littleton W. T. Waller to appear for the purpose of arguing this cause orally on behalf of the appellant.

181. Erwin Davis, Appellant, vs. Angelica Wadleigh et al.
182. Erwin Davis, Appellant, vs. Peter B. Cornwall.

The motion for an order granting the clerk leave to issue the mandate in this cause was submitted to the consideration of the Court by Mr. Union Mallby, in support of the same, and Mr. Walter D. Logan and Mr. Charles M. Pound, in opposition thereto.

Lowell W. Ellenwood, Admr &c., Plaintiff in Error,
234. vs.
The Marietta Chair Company.

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. D. Follett, in support of the same, and Mr. E. B. Whitney, in opposition thereto.

Lowell W. Ellenwood, Admr &c., Plaintiff in Error,
234. vs.
The Marietta Chair Company.

On motion of Mr. E. B. Whitney, of counsel for the plaintiff in error,

And [illegible] Mr. A. D. Follett, of counsel for the

defendant in error. It is ordered by the Court that this cause be placed subject to the provisions of Section 9 of Rule

955 Robert B. Daskell, Appellant vs. John B. M. Anderson et al

The petition for a writ of Certiorari, directed to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on printed arguments by Mr. W. A. Jenner and Mr. H. G. Wilson, in support of the same, and Mr. Samuel F. Phillips and Mr. Peyton B. McKinney in opposition.

993 The Pacific Railroad, Appellant vs. The United States

On motion of Mr. Assistant Attorney General Dodge, It is ordered by the Court that this cause be placed subject to the provisions of Section 9 of Rule

Juan Pedro Camou, Appellant vs. The United States

Mr. Alexander Britton, in behalf of counsel for the appellant submitted to the consideration of the Court a motion to advance the cause.

Hermann R. Ballzer and
William L. Peaks
vs. Error to
The State of North Carolina

201.

M. Alexander Dillon,
in behalf of counsel,
for the Plaintiffs in
Error, suggested the
death of Hermann
R. Ballzer, one of the Plaintiffs in Error herein,
and moved the Court that the Cause Proceed,
in the name of the surviving Plaintiff in Error,
William L. Peaks. Whereupon, It is now here
ordered by the Court that this Cause Proceed in
the name of the said William L. Peaks the sur-
viving Plaintiff in Error.

Hermann R. Ballzer
vs. Error to
The State of North Carolina

391.

M. Alexander Dillon,
in behalf of counsel,
for the Plaintiff in
Error, suggested the
death of Hermann R. Ballzer, the Plaintiff in
Error herein, and moved the Court to make
Mattie P. Ballzer and Ernest V. Ballzer, Executrix
and Executor of the said Hermann R. Ballzer
the parties Plaintiffs in Error in this cause.
Whereupon, It is now here ordered by the Court
that the said Mattie P. Ballzer and Ernest V.
Ballzer, Executrix and Executor of Hermann
R. Ballzer, deceased be, and they are hereby
made the parties Plaintiffs in Error in the above

Monday, March 26th 1894. Continued

353. The C. A. Treat Manufacturing Co, vs. Writ of Error. The Standard Steel Spring Co. et al

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William L. Beale, and Mr. E. J. Isham in support of the same, and Mr. John L. Cooper in opposition thereto.

314. The Lehigh Valley Railroad Co, vs Appellant, Frances Kenney et al

Mr. Robert H. Fisher, in behalf of counsel for the appellees, suggested the death of Mary F. Pronson, Executrix, one of the appellees herein, and moved the Court to make Elwood C. Harris, Administrator &c., of Luke F. Pronson, deceased a party appellee in this cause. Whereupon, It is now here ordered by the Court that the said Elwood C. Harris, Administrator &c., of Luke F. Pronson, deceased, be, and he is hereby, made a party appellee in this cause.

941. The Steamship "Delaware" &c. vs. Appellant, Charles A. Winnell et al.

On motion of Mr. Harrington Putnam, of counsel for the appellee

It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the 39th Rule.

359. The Steamship "Delaware" v. Appellant
Charles A. Warwick, Claimant

Petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit was submitted, on the consideration of the record and on printed argument by Mr. J. Parker Kirlin, in support of the same.

413 The Steamship "Beaconsfield" v. Appellant
Albert H. Henderson

On motion of Mr. J. Parker Kirlin, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, advanced pursuant to the Statute.

375. John Keane v. Appellee
Isaac Hopkins Baggage, Executor &c.

On motion of Mr. Frederic L. McKinney of counsel for the plaintiff in error, leave is hereby granted to apply the provisions of Section 6 of Rule 10 to this case in printing the Transcript of record.

376. Joseph A. Davidson, v. Appellee
The Mexican National R.R. Co.
and
The Mexican National R.R. Co., v. Appellee
Joseph A. Davidson.

The motion for an order granting the Clerk leave to issue the mandates in these cases was now submitted to the consideration of the Court by Mr.

E. M. Shepard in support of the same, and Mr. Treadwell Cleveland, in opposition thereto.

428. Theodore Lambert, Appellant, vs. George Barrett, Sheriff &c. This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. John L. Semple, of counsel for the appellant, and Mr. Wilson W. Jenkins, of counsel for the appellee.

231. The Board of County Commissioners of the County of Jackson et al., Appellants, vs. The Metropolitan Trust Co. of the City of Rochester. Appeal from the Circuit Court of the United States for the District of [illegible].

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Davis & Rankin Building and Manufacturing Co.,
vs. } Motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George A. Knight in support of the same, and Mr. A. J. Mackenzie, in opposition thereto.
William H. Bickford

Charles A. Morgan,
vs. } In Error to the Supreme Court of the State of South Dakota.
The State of South Dakota.

Appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.
Per Mr. Chief Justice Fuller.

Thomas F. Lawson,
vs. } In Error to the Supreme Court of the State of Texas.
H. S. Kelly.

Appearing to the Court that an authority of counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered and ad-

Monday, March 25th, 1895. Continued.

this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Eugene V. Debs et al., Petitioners. On motion of Mr. Lyman Trumbull, of counsel for the petitioners, leave is hereby granted three counsel to argue this case orally for petitioners and respondents respectively and three hours allowed each side for the argument.

H. Original.

Ex parte: In the matter of Eugene V. Debs et al., Petitioners. Reargument of this case was commenced by Mr. Lyman Trumbull, of counsel for the petitioners, and continued by Mr. Assistant Attorney General Whitney, of counsel for the respondents, Mr. S. S. Gregory, of counsel for the petitioners, and Mr. Edwin Burke, of counsel for the respondents.

H. Original.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Geo. Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General it is ordered that Thomas H. Hooker, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick O'Farrell it is ordered that John W. McEachen, Esquire, of Syracuse State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr.

Mr. A. P. Kelehum it is ordered that Donald K. Dixon, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. C. L. Darrow it is ordered that William Thompson, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. Charles A. Clark it is ordered that W. D. Voris, Esquire of Marion, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

220. The Winona & St. Peter Land Co., vs. Plff in Error, The State of Minnesota.

and

221. The Winona & St. Peter Land Co., vs. Plff in Error, The State of Minnesota.

Ordered by the Court that these Cases be, and they are hereby, continued until the next term for stipulation of Counsel

237 Diefendorf & Salomon
vs. Appellants
Appeal from the District Court of the United States for the Eastern District of
Pennsylvania
Reconstructed Italian Benefit Society

This cause having been called for hearing in its regular order, and it appearing to the Court that the transcript of the record has not been filed, it is therefore in pursuance of the 16th rule of this Court now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Chief Justice Fuller

In Error In the matter of
Eugene V. Debs et al.
Petitioners

The argument of this cause was continued by Mr. Attorney General, Mr. Edwin W. Smith, of counsel for the respondents, and concluded by Mr. E. A. Dawson, of counsel for the petitioners.

329 J. M. Todd et al.,
vs.
The United States

This cause was argued by Mr. John C. Fay, of counsel for the plaintiffs in error and Mr. Assistant Attorney General Whitney, of counsel for the

Monday, March 26th 1855 Morning

William M. Bennett,
vs. Affirmation
George Hardman

The engagement of this Court was commenced by Mr. John M. Mitchell, of Counsel for the plaintiff in

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday, March 29th 1876

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion filed made to the Court in this behalf by Mr. Thomas Johnson it is ordered that C. L. Andrus Esquire, of Stamford, State of New York, be admitted to practice as an attorney and counsellor of this Court and thereupon he took the oath

No. 949. Edwin F. Williams et al., vs. Appellants, The Commissioners of Sewerage of New Orleans. Appeal from the Circuit Court of the United States for the Northern District of Louisiana.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of

rock rule of this Court now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Curiam. Chief Justice

William M. Kinnell,
vs. Error to Dist.
George Hardcastle

Argument of this cause was continued by Mr. Samuel C. Phillips, of counsel for the defendant in error, and concluded by Mr. John W. Mitchell, of counsel for the plaintiff in error.

Dwight Cutler,
vs. Error to Dist.
Amos B. Alexander

This cause was argued by Mr. George A. Bacon, of counsel for the plaintiff in error, and Mr. P. F. McGinny and Mr. Edwin Hall, of counsel for the defendant in error.

Robert McCormick,
vs. Error to Dist.
J. D. Hayes.

Argument of this cause was commenced by Mr. Charles A. Clark, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 28th, 1895

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

130. The Rutland Railroad Co., Plff in Error, v. The United States. On motion of Mr. George F. Edmunds, of Counsel for the Plaintiff in error, It is ordered by the Court that this cause be and the same is hereby advanced for argument with Case No. 299, as one case, & the stipulation of counsel.

216. J. H. Sexton et al., Appellants, v. Henry Jones et al. Appeal from the Circuit Court of the United States for the District of Oregon.

This cause having been called for hearing in due

the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

248. Hiram Barney, Collector &c., vs. Joseph H. White et al. } Motion of Mr. Assistant Attorney General Whitney for leave to file a writ of error.

Counsel for the plaintiff in error, this day moved by the Court that this cause be, and the same is hereby, passed subject to provisions of Rule 6 [illegible]

692. Nathan Marcus vs. The United States. } In Error to the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of Counsel to dismiss this cause has been filed, It is therefore, in pursuance of said stipulation, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Nathan Meyers,
vs.
The United States.

Ordered by the Court that the Clerk be granted leave to issue the mandate in this cause, per stipulation filed.

No. 290. Robert McCormick,
vs.
Hoffman Ross,

Reargument of this cause was continued, by Mr. A. E. Davis, of counsel for the defendant in error, and concluded by Mr. Charles N. Clark, of counsel for the plaintiff in error.

No. 289. Joseph S. Kennedy et al.,
vs.
Hoffman Ross,
Daniel Morgan, Collector.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. C. Kelchum, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant.

No. 228. The Wisconsin Central R.R. Co.,
vs.
Hoffman Ross,
William O. Langdon.

On motion of Mr. William F. Vilas leave is hereby granted him to argue this cause orally on behalf of the plaintiffs in error.

No. 288. The Wisconsin Central R.R. Co.,
vs.
Hoffman Ross,
William O. Langdon.

Reargument of this cause was commenced by Mr.

Monday, March 5th, 1855, Continued

Louis D. Brandeis, Counsel for the Plaintiff in Error and continued by Wm. William G. Vilson on behalf of the Plaintiff in Error and by Wm. George G. Greene, of Counsel for the Defendant in Error

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.

John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,

John M. Wright, Esquire, Marshal.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. William F. Dillon it is ordered that George H. Hodnett, Esquire, of Hagerstown, Md., be admitted to practice as an attorney and counsellor of this Court and thereupon takes the oath prescribed by law.

On motion first made to the Court in this behalf by Mr. William Lochren it is ordered that Wallace Bartlett, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he takes the oath prescribed by law.

Monday, March 19th, 1894,

280. The Union Pacific Railway Co. et al. vs. The Chicago Rock Island & Pacific Railway Co. — Appellants — On motion of Mr. A. B. Browne, of counsel, it is ordered by the Court that this cause be, and the same is hereby, passed until after the hearing and determination of cases Nos. 1181 and 1185, per stipulation of counsel.

281. The Union Pacific Railway Co. vs. The Chicago, Milwaukee & St. Paul Railway Co. — Appellant

284. The New York Life Insurance Company, vs. Effie Snow, Eudora F. Smith, Admx. — Petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Ninth Circuit, was submitted to the consideration of the Court by Mr. George H. Mitchell, in support of the petition.

238. The Wisconsin Central R. R. Co., vs. Effie Snow, William O. Forsyth. — Argument of this cause was continued by Mr. George H. Mitchell, and Mr. A. B. Browne, of counsel for the defendant in error, and concluded by Mr. Louis D. Brandeis, of counsel for the plaintiff in error.

150 Friday, March 9th, 1855. Continued.

The Central Land Company of West Virginia
vs.
John B. Laidley.

Re-argument of this cause was commenced by Mr. F. B. Enslow, of counsel for the plaintiff in error, and continued by Mr. W. E. Gilliss and Mr. J. F. Brown of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 15th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. H. N. Obear it is ordered that William H. Sykes, Esquire, of Columbia, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered, that James Monroe Olmsted, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

on Mr. O. B. Hallam it is ordered that James H. Blackburn Jr. Esquire, of Frankfort, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger Foster it is ordered that James P. Snodgrass Esquire of Brooklyn, and Jorge Cromwell, Esquire, of New York City, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. R. Moore it is ordered that Asher English Esquire, of St. Louis State of Missouri, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. Coleman it is ordered that Jorge M. Dixon Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday, April 15th 1895 Continued

219. The Gulf, Colorado & Santa Fe, Railway Company, vs. J. A. Shan[illegible], Appellee. In Error to the United States Court for the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court for the Indian Territory, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said United States Court with directions to set aside the verdict and grant a new trial.

Per Mr. Justice [illegible]

214. John A. Calvin, Appellant, vs. The City of Jacksonville and D. U. Fletcher, [illegible]. Appeal from the Circuit Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Florida, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice [illegible]

James A. Cave, Administrator of Robert L. Stevens, deceased, Plff in Error,
vs.
William Mellon.
787

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof it is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

George F. Bohard, Plff in Error,
vs.
William Alexander.
149

In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

Monday, April 15th, 1895.

143. Eben Pierce
v.
James A. Tracy

In Error to the Supreme Court of the State of Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

146. Stephen A. Ralli, Alexander Anthony Thiesi, and Lucas Eustratios Ralli, surviving partners of the firm of Ralli Brothers,
v.
Howard D. Troop and ——— Troop, composing the firm of Troop, Lustgarten & Troop

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and the cause

for loss or damage by the acts of the port authorities
official average disallowed; And that this Decree
be and the same is hereby, remanded to the said
Circuit Court for further proceedings consistent
with the opinion of this Court.

Per Mr. Justice Gray.

Dissenting:
Mr. Justice Brown
Mr. Justice Shiras

309. August Roegemann, Appellant
v.
Edmund A. Bueker, Sheriff of the County of Morris, State of New Jersey.

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras

313. William Teegen, Appellant
v.
The Board of Directors of the Modesto Irrigation District.

On consideration of the motion for leave to file an additional bill herein, it is now ordered by the

Monday April 1st 1895 Ordered

granted, Notice hereof being given to Counsel in the cause.

It is further ordered that this cause be and the same is hereby restored to the docket for reargument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

181 Erwin Davis, Appellant vs. Angelica Wadsley, and Erwin Davis, Appellant vs. Pierce B. Cornwall

On consideration of the motion for an order granting the Clerk leave to issue the mandate in these cases and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that same be, and the same is hereby, granted the Clerk to issue the mandates in these cases.

Per Mr. Chief Justice Fuller

234 Lowell W. Elmwood, Admr &c, vs. Alfin Frost, The Marietta Chair Company

On consideration of the motion to dismiss in this cause and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

Juan Pedro Lemos
vs. Appellant
The United States.

No. 831. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby denied.

Per M. Chief Justice Fuller.

Joseph N. Dawson,)
vs. Plff in Error,
The Mexican National R.R. Co.)
And
The Mexican National R.R. Co.)
vs. Plff in Error,
Joseph N. Dawson.)

No. 880. On consideration of the motion for an order granting the Clerk leave to issue the mandates in these cases, and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that the Clerk be and he is hereby granted leave to issue the mandates in these cases.

Per M. Chief Justice Fuller.

Robert B. Dashiell,
vs. Appellant
James R. [illegible]

No. 958. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, it is now here

Monday, April 7th 1913. Continued

ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

959. The Steamship "Delaware" &c., Appellant, vs. Charles H. Bennett &c. et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice White

944. The Steamship "Delaware" &c., Appellant, vs. Charles H. Bennett &c. et al.

It is ordered by the Court that the order advancing this cause pursuant to the 3rd Rule be, and the same is, hereby vacated, and the cause directed to be consolidated with cause No. 959 on the docket for the present term.

Per Mr. Chief Justice White

Hiram Barney, late Collector of the Port of New York,
918. vs. In Error to the
Alexander Hoxard & Noah Circuit Court of the
Cole, Executors of Alexander United States for the
Hoxard, deceased. Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to award a new trial.

Per Mr. Chief Justice Fuller.

Francis A. Coffin et al.,
741. vs. In Error.
The United States.

The motion for an order granting the Clerk leave to issue the mandate in this cause was submitted to the consideration of the Court by Mr. Solicitor General Conrad in support of the same, and Mr. W. N. F. Miller in opposition thereof.

J. E. Findel et al.,
939. vs. In Error.
[illegible]

The petition for a writ of certiorari herein to the United States Circuit

Court of Appeals for the South Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry H. Chamberlain and Mr. Samuel W. Melton, in support of the same, and Mr. William A. Lyles and Mr. Robert W. Barnwell, in opposition thereto.

The State of South Carolina,
ex rel. Kelly in Error,
vs.
Edward B. Wesley.

On motion of Mr. William A. Lyles, of counsel for the appellee, leave is given him to withdraw the

(Note: granted the Clerk to until Monday.)

D. L. Flowers,
vs.
J. M. Limehouse et al

On motion to dismiss the appeal in this cause for want of prosecution, submitted to the consideration of the Court on printed arguments by Mr. Frank W. Hewell, in support of the same, and Mr. Rochester Hood, in opposition thereto.

M. L. Johnson, Captain
&c. &c. Navy
vs.
Daniel B. Seagrove.

Mr. John W. Hipp, of counsel for the appellee, moved the Court to postpone the argument of the appeal in this cause until the next term, which was opposed by Mr. Chamberlain, of counsel for the appellant. Whereupon, it is now here ordered by the Court that the same

be and the same is hereby reassigned for argument on the 15th instant.

1865. William H. Brown et al. vs. Compania de Navegacion &c. Appellants. The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Wilhelmus Mynderse in support of the same, and Mr. Wilbur C. MacFarland in opposition thereto.

531. Thomas Sturges, vs. Hiram Keator, The National Life Association of Westford, Connecticut. On motion of Mr. Roger Foster of Counsel for the respondent it is ordered by the Court that a writ of Certiorari herein be, and the same is hereby granted.

657. William M. Fishback et al., vs. The Oregon Express Co. On motion of Mr. A. N. Yancey, of Counsel for the appellants, it is ordered by the Court that this cause be, and the same is hereby, advanced with leave to submit the same on printed arguments.

Monday, April 1st, 1895. Continued

65. William M. Fishback et al. Appellants
vs.
The Virginia Development Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James P. Clarke, Mr. A. H. Garland of counsel for the appellants, and Mr. W. A. Anderson of counsel for the appellee.

139. The Central Land Company of West Virginia, Appellant
vs.
John B. Laidley Reargument of this cause was continued by Mr. J. T. Brown, of counsel for the defendant in error and concluded by Mr. J. H. Ferguson of counsel for the plaintiff in error.

140. John E. DeBois, Appellant
vs.
Archer Reargument of this cause was commenced by Mr. George A. Jenks, of counsel for the appellant and continued by Mr. Thomas M. Bakewell of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday April 2d 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present,
The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

(Associate Justices)

(Proclamation being made the Court is opened.)

On motion first made to the Court in his behalf by Mr. C. C. Cole it was ordered that Stuart L. Jefferds, Esquire, of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

On motion first made to the Court in his behalf by Mr. E. H. Whitney it was ordered that Robert S. Hough, Esquire, of Hillsboro, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

Tuesday April 24. 1883. Continued

No. John S. Durkin
vs. Appellant
Arthur Kiel

Argument of this cause was continued by Mr. Thomas H. Buckwell and Mr. William Buckwell of counsel for the appellant and concluded by Mr. George A. Jenks of counsel for the appellant

113. Havemeyers & Elder Sugar Refining Company
vs. Appellant
Daniel Magone Collector &c.

This cause was argued by Mr. Edwin B. Smith of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney of counsel for the defendant in error

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 3d, 1895

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.

Proclamation being made the Court is opened.

On motion it is ordered that Clinton Locke, Esquire, of the Territory of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

775 Henry F. Bachelor, Appellant, vs. The United States. On motion of Mr. John T. Morgan, of counsel, leave is hereby granted, the Clerk to issue the mandate in this cause forthwith.

Nos. Henry F. Spencer, Appellant, vs. Alfred Sears, Alexander McDougall, Appellees. This cause was argued by Mr. Lewis D. Blandin, of counsel for the

tiffin Esqr, and Jm. Geo. H. Strong and Jm. H. B. Browne, of Counsel for the defendant in error.

The Eastern Oregon Gold Mining Company, Limited, Plaintiff in Error, vs. C. S. Miller. In Error to the Circuit Court of the United States for the District of Oregon.

207

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute its writ of error and failing to appear, it is thereupon, in pursuance of the 16th. rule of this Court and on the motion of Mr. J. A. Mitchell, of counsel for the defendant in error now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

The Union Pacific Railway Company, Appellant, vs. Ellen Hyde. The argument of this cause was commenced by Mr. A. G. Hawley, Jr. of Counsel for

Plaintiff in error, and continued by Mr. H. Hulbert Phillips, of counsel for the defendant in error, and Mr. Samuel Hellenberg, of counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned, until to-morrow at twelve o'clock.

Monday April 11th 1892

Pursuant to adjournment the Court met to-day at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
John M. Knight, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. Hector T. Fenton it was ordered that George Bucknell Lamar, Esquire, of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

217 The Union Pacific Railway Company, Plff in Error, vs. Otto Hyler

The argument of this cause was concluded by Mr. Samuel Shellabarger of counsel for the plaintiff in error

250. The Episcopal City Mission et al., vs. Appellants, George D. Bowen. This cause was submitted to the consideration of the Court on the Record and Printed arguments by Mr. George Bowen, of Counsel for the appellants, and Mr. Charles H. Osborne and Mr. Samuel A. Lynde, of Counsel for the appellee.

251. George D. Auden et al., vs. Appellants, James P. Lowden. This cause was argued by Mr. Henry W. Archer, of Counsel for the appellants, and was submitted on a printed argument by Mr. Alexander Britt of Counsel for the appellee.

252. H. C. Jones, vs. The East Tennessee, Virginia & Georgia Railroad Company. The argument of this cause was commenced by Mr. A. N. Ingersoll, of Counsel for the plaintiff in error. The Court declined to hear further argument.

253. The Utah Colorado & Santa Fe Railway Co., vs. Appellees, This cause was submitted to the consideration of the Court on the Record and a printed ar-

Mr. George R. Peck and Mr. J. W. Day, of counsel for the plaintiff in error. No brief on file for the defendant in error.

258. Mason P. Gray, vs. The State of Connecticut. On motion it was, Submitted to the consideration of the Court on the record and printed argument by Mr. Solomon Lucas, of counsel for the defendant in error with leave to counsel for the plaintiff in error to file a printed argument on or before

270. The Richmond Silver Mining Co., vs. Sebastian Koenigsberger, Admr. And Sebastian Koenigsberger, Admr. vs. The Richmond Silver Mining Co. Reargument of these causes was commenced by Mr. S. C. Moody, of counsel for Koenigsberger,

760. Administrator &c.)

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Monday, April 8th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf, by Mr. Robert A. Howard it is ordered that Eugene L. Ives, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin W. Smith it is ordered that Joseph H. Choate, Esquire, of Philadelphia, State of Penn. Esquire be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of James Lennon
971. Appellant.

The petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Walter A. Smith, Mr. C. M. Barber and Mr. Frank Hurd in support of the same.

E. M. Clark,
962. vs. Appellant
Charles Reeder.

On motion of Mr. Joseph S. Clark of Counsel for the appellant it is ordered by the Court that this cause be and the same is hereby passed subject to the provisions of Section [illegible]

The Washington Gas Light Co.
969. vs. Plff in Error,
The District of Columbia.

Ordered by the Court that this cause be and the same is hereby continued until the next term, for Mr. [illegible] of Counsel

The Richmond Silver Mining Co.
970. vs. Plff in Error,
Sebastian Koenigsberger, Atty &c.

The argument of the above entitled cause was continued by Mr. Wager Swayne of Counsel for the Mining Co. and [illegible]

Sebastian Koenigsberger, Atty &c.
960. vs. Plff in Error,

Monday, April 8th, 1895. Continued.

by Mr. S. S. Purdell of counsel for Plaintiffs in Error.

761. Joseph L. White, Plaintiff in Error, vs. Martha Ann Van Hornebeck. This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. T. N. Graham, of counsel for the plaintiff in error, and Mr. Morgan H. Beach, of counsel for the defendants in error.

762. The New York, Lake Erie & Western R. R. Co., Plaintiff in Error, vs. The Commonwealth of Pennsylvania.

764. The Pittsburgh Railroad Company, Plaintiff in Error, vs. The Commonwealth of Pennsylvania.

765. The New York, Lake Erie & Western Coal & Railroad Co., Plaintiff in Error, vs. The Commonwealth of Pennsylvania.

766. The New York, Pennsylvania & Ohio Railroad Co., Plaintiff in Error, vs. The Commonwealth of Pennsylvania. These cases were argued by Mr. M. E. Olmsted, of Counsel for the Plaintiffs in Error, and Mr. James A. Stranahan, of Counsel for the Defendant in error.

768. William H. Armstrong, Appellant, vs. The United States. This cause was submitted to the consideration of the Court on the record and a printed argument

by Mr. Assistant Attorney General Pradt of Counsel

Monday, April 5th, 1893, Continued

for the appellee, with leave to counsel for the appellant to file a printed argument and counsel for the appellee to file a reply thereto within ten days.

270. John Simpson, Appellant, vs. The Steamer "Oregon" &c.; and The Oregon Short Line & Utah Northern Railway Co., Appellant, vs. The Ship Allan Macken &c.

Ordered by the Court that these causes be and they are hereby dismissed under Monday rule.

271. Henry J. Lutcher et al., Plaintiffs in Error, vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Bradford of counsel for the plaintiffs in error, and Mr. Solicitor General Conrad, of counsel for the defendant in error.

272. The Northern Pacific R. R. Co., Plaintiff in Error, vs. Alfred J. Heath.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. N. Garland, Mr. H. E. Cullen and Mr. J. A. Poole, of counsel for the plaintiff in error, and Mr. Thos. H. Wood, of counsel for the defendant in error.

Elizabeth Strahan et al.
vs. Appellants.
Frederick E. Odessey et al.
Appellees.

The Causeway submitted to the consideration of the Court on the record and a printed argument by Wm. H.O. Claughton and Wm. F.A. Mackey of Counsel for the Appellants. No brief filed by Counsel for the Appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 6th 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Bethune Adams it is ordered that William Pierrepont Williams, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he thereupon took the oath accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that George L. Sterling, Esquire, of New York City, be admitted to practice as an attorney and Counsellor of this Court and he thereupon took the oath accordingly.

On motion first made to the Court in this behalf by Mr. Rufus Lee it is ordered that

Blair Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. A. M. Green it is ordered that William H Barber Esquire of Chester, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. William A. Day it is ordered that John C Edwards, Esquire, of McLeansboro State of Illinois, and Frank T. Kent, Esquire, of Syracuse State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. J. Hibbs Ashton it is ordered that Henry M. Cattell Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] it is ordered that William Fleming, Esquire, of Tombstone, Territory of Arizona, be admitted to practice as an attorney

Monday April 8th 1850 Ordered

accordingly.

On motion first made to the Court in this behalf by Mr. Chapin Brown it is ordered that Wilbur H. O'Connor Esquire of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered that J. C. Mac Mully, Esquire of Washington District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Alexander Allen vs. Affm Error, The United States. } On Appeal from the District Court of the United States for the Western District of Arkansas

788.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial. per Mr. Justice Nelson.

Cornelius P. Keeler and George A. Keeler, Appellants,
vs.
The Standard Folding Bed Company. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr Justice Shiras.

Dissenting;
Mr. Justice Brown,
Mr Chief Justice Fuller &
Mr. Justice Field.

The Chief Justice announced that as Friday next would be Good Friday, the Court would adjourn from Thursday until Monday next.

Order.

The Reporter having represented that owing to the number of decisions at the term it will be

impracticable to put the reports in one volume. It is therefore now ordered that he publish an additional volume in this year, pursuant to section 681 of the Revised Statutes.

Per Mr. Chief Justice Fuller.

No. 945. D. S. Thomas, v. Griffin Green, J. M. Lane et al. It is ordered by the Court that leave be, and the same is, hereby, granted to amend the writ of error herein by affixing thereto the signature of the Clerk and the seal of the Supreme Court of the Territory of Arizona. It is further ordered that the motion to dismiss herein be, and the same is hereby, denied, and that the further consideration of the motion to affirm be, and the same is hereby, postponed to the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

No. 946. J. C. Tindal and J. K. Boyles, v. Griffin Green, Edward B. Hershey. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support thereof as against the same, it is now here ordered by the Court that said petition

be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

No. 1165. William H. Bauer et al., Appellants, v. Compañía de Navegación de Plata. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

No. 1211. Ex parte: In the matter of James Lennon, Appellant. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit and of the argument of counsel thereupon had in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

813. Count Joseph Pellenez vs. George H. Rinn. In Error.

It is ordered by the Court that this cause be and the same is hereby restored to the docket for re-argument before a full Court.

Per Mr. Chief Justice Fuller.

763. Havemeyers & Elder Sugar Refining Company vs. Daniel Magone, Collector of the Port of New York. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

756. Charles Davis vs. The Elmira Savings Bank. In Error.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument at the next term.

Per Mr. Chief Justice Fuller.

352. H. B. Jones, Plaintiff in Error, vs. The East Tennessee, Virginia & Georgia Railroad Company. In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

353. The C. A. Treat Manufacturing Company, Plaintiff in Error, vs. The Standard Steel & Iron Company and Joseph T. Torrence. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on a motion to dismiss which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for want of jurisdiction.

Per Mr. Chief Justice Fuller.

818. The Davis & Rankin Building and Manufacturing Company vs. William H. Barber et al. In Error to the Circuit Court of the United States for the District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of [illegible] and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per M. Chief Justice Fuller

971. Henry J. Lutcher and G. Bedell Moore composing the firm of Lutcher & Moore vs. The United States. In Error to the Circuit Court of the United States for the Eastern District of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per M. Chief Justice Fuller

No. 1. Charles Pollock, Appellant, vs. The Farmers Loan & Trust Company et al. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in favor of complainant in respect only of the voluntary payment of the tax on the rents and income of the real estate of the defendant Company, and that which it holds in trust, and on the income from the municipal bonds owned or held by it.

(Mr. Chief Justice Waite, Mr. Justice Field, Mr. Justice Harlan and Mr. Justice White delivered separate opinions.)

No. 11. Louisa V. Hyde, Appellant, vs. The Continental Trust Company of the City of New York et al. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript

Monday, April 8th. 1895 Continued

record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now hereby ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter judgment in favor of complainant in respect only of the validity of the tax on the dividends [illegible] of the defendant Company and that which it holds in trust, and on the income from the Municipal bonds owned or so held by it.

Mr. Chief Justice Fuller, Mr. Justice Field, Mr. Justice Harlan and Mr. Justice White dissented.

136. The F. O. Matthiessen & Wiechers Sugar Refining Company, Appellant, vs. The Steamship Lindau, Nelson &c.

On motion of Mr. George Bethune Adams, in behalf of Counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

274. Elizabeth Abraham et al., Appellants, vs. Frederick E. Dalrymple et al.

On motion of Mr. J. J. Darlington, of Counsel for the appellees, leave is hereby granted

to file a printed argument herein and counsel for appellants granted five days to file a reply thereto.

Ex parte: In the matter of The Newsboy & Mailboy Co., (Petitioners.)

Mr. Edward K. Jones, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

705. The Reward White Coal Mining Company, Appellant, vs. The Steamship [illegible]

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George Bethune Adams, of counsel for the appellant, and Mr. J. Parker Wilson, of counsel for the appellee.

On motion of Mr. Wm. Pierrepont Williams leave is hereby granted him to file a printed argument herein and counsel for the appellant granted five days to file a reply thereto.

934. James D. Shiver, Plff in Error, vs. The United States.
936. Stephen M. Folsom, Plff in Error, vs. The United States.
938. A. F. McDowell, Plff in Error, vs. The United States.
[illegible] Plff in Error, vs. The United States.
[illegible] Plff in Error, vs. The United States.

Mr. Assistant Attorney General, of counsel for

Monday, April 5th, 1895.

defendant in error, submitted to the consideration of the Court motions to advance [illegible]

Robert Charlson, vs. The United States. Mr. Victor General, Conrad, of counsel, for the defendant in error, having filed, in open Court the following certificate

"District Court of the United States, For the Northern District of [illegible], Sou. Division."

I, N. W. Trimble, Clerk of the District Court of the United States for the Northern District of Alabama, Sou. Division, do hereby certify that in a certain cause pending in said Court wherein The United States was plaintiff, and Robert Charlson [illegible] defendant, a final judgment was rendered by said Court on the twenty-ninth day of May, A.D. 1894, in favor of the said United States and against the said Robert Charlson, and that on the 29th day of May, A.D. 1894, said Robert Charlson sued out a writ of error to said District Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said District Court at Birmingham, Ala., this 1st day of April, A.D. 1895.

(Seal) N. W. Trimble, Clerk

moved the Court to docket the cause and dismiss

cause, pursuant to the 9th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now ordered and adjudged by this Court that the writ of error in this cause to the District Court of the United States for the Northern District of Alabama be, and the same is hereby, docketed, and dismissed: and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

N. F. Seeberger, Collector &c., Plff in Error, vs. Wright & Lauther Oil Mill and Manufacturing Co.

On motion of Mr. Solicitor General, Conrad, Esq., is hereby granted the Clerk to issue the mandate in this cause.

1893.

John D. Beardsley, Appellant, vs. The Arkansas & Louisiana Railway Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland and Mr. J. M. Moore, of counsel for the appellant, and Mr. J. J. Joyce, of counsel for the appellee.

178. Leverett Saltonstall, Collector &c, vs. Joseph Binswell, Plff in Error, The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court on a printed argument by Mr. Solicitor General Conrad, in support of the same, and leave granted to file a printed argument in opposition thereto on or before Monday next.

107. James Henderson et al., vs. Mayer Goldsmith, Appellants, On motion of Mr. Frederic D. McKenney, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

183. Joseph Lalone et al., vs. The United States, Appellants. Mr. A. S. Worthington of counsel for the appellants, suggested a diminution of the record and moved the Court for a writ of Certiorari herein. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, granted

277 H. D. Kenney, Appellant, vs. Stephen Belcher. Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

283 Joseph Storey, et al, vs. The United States. On motion of Mr. N. B. Browne, of Counsel, for the appellants, It is ordered by the Court that this cause be, and the same is hereby dismissed.

284 Charles A. Wilcox, vs. Jeffie Evans. Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

286 E. B. Treadway, vs. Jeffie Evans. William Belcher. In Error to the Supreme Court of the State of Nebraska.

This cause having been called for hearing in its

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, This therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

270. John Simpson, Appellant, v. The Steamer "Oregon" &c. and The Oregon Short Line & Utah Northern Railway Co., Appellant, v. The Ship "Alex McNaughton" &c.

173.

Re-argument of these cases was commenced by Mr. C. E. S. Wood for appellant Simpson, & Mr. Raymond of the Ship "Alex McNaughton" Oregon.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

No. 1711. Six Cases: By the Name of James Lennon, Appellant. On motion of Mr. Hallam A. Smith, of Counsel for the appellant, it is ordered by the Court that the transcript of the record accompanying the petition for a writ of certiorari herein be taken and filed as a return to said writ of certiorari.

No. 987. The Oakland Electric Light & Motor Company vs. Affirmed in Error. Nathaniel A. Keith. On Error to the Circuit Court of the United States for the Northern District of California.

this order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice

288. Hyde et al., vs. Appellees, Appeal from the Circuit Court of the United States for the District of West Virginia.

Andrew Morgan et al

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal, &c, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

John Simpson, vs. Appellant, The Steamer Oregon, &c. The argument of these cases was commenced by Mr. C. E. Wood, of counsel for Simpson, claimant of the ship Wm Mackenzie, and Mr. Arlen

And

The Oregon Short Line & Northern Railway Co., vs. Appellant, The Ship Wm Mackenzie, &c. 273.

A. Holmes, of counsel for the Railway Company, Claimant of the Steamer Oregon, and concluded, by Mr. C. E. Wood, of counsel for the Ship's Claimants.

Leave was granted Mr. William A. Maury to file a printed brief in behalf of certain Intervenors and to Mr. A. N. Holmes to file a reply thereto within 5 days.

1895 Jane M. Field et al., Appellants, v. A. Schneider et al. This cause was argued by Mr. A. M. Foote, of counsel for the appellants, and Mr. S. F. Leib, of counsel for the appellees.

1895 The Corporation of the Catholic Bishop of Nesqually in Washington Territory, Appellant, v. John Gibbon et al. The argument of this cause was commenced by Mr. Alex. J. Mackey, of counsel for the appellant, and continued by Mr. Solicitor General Conrad, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 10th, 1872

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White

John F. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court announced

On motion first made to the Court in this behalf by Mr. John T. Morgan it is ordered that Leroy Pope Cooper, Esquire, of Huntsville, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Madison B. Davis, Esquire, of Selma City, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. The United States, Appellant, vs. Thomas Smith,
Jun. Thomas Smith, Appellant, vs. The United States.

These causes were submitted to the consideration of the Court on the record and printed arguments by Mr. Key, Attorney and Mr. Johnson of counsel for Smith, and Mr. President Attorney General Dodge, and Mr. Chief Justice Cranch, of counsel for the United States.

Mariano Barela, Appellant
vs.
Bartholomew Sibley and Thomas Swords

Appeal from the Supreme Court of the Territory of New Mexico

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney.

The Corporation of the Catholic Bishop of Maryland in Washington Territory, Appellant,
vs.
John Gaston.

The argument of this cause was continued by Mr. Solicitor General, Conrad, of counsel for the appellees, and concluded by Mr. Attorney General, of counsel for the Appellant

276. Joel Parker Whitney
vs. Hyam Sons.
Trover & Conversion

This cause was argued by Mr. D. E. Valentine, of Counsel for the Plaintiff in error and Mr. C. W. Matthews, of Counsel for the defendant in error.

277. Alexander Frankenthal et al.
vs. Hyam Bros.
H. Scott Cook.

The argument of this cause was commenced by Mr. Frank P. Klein, of Counsel for the defendant in error.

Proclamation being made the Court ordered an adjournment until tomorrow at twelve o'clock M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. N. Norris it is ordered that George E. Clarke, Esquire, of Algona, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was duly sworn accordingly.

293. The Chicago, Milwaukee & St. Paul Railway Co., Appellant, vs. The United States et al.

On motion of Mr. William Lawrence leave is hereby granted him to file a printed argument herein in behalf of certain settlers.

1169. Dubuque City & St. Paul Railroad Co., Appellants, vs. The United States et al.

On motion of Mr. William Lawrence leave is hereby granted him to file

Monday, April 7th, 1890. Continued to

liam L. Joy to file a printed argument herein in behalf of petitioner Miller.

The Sioux City & St. Paul Railroad Company et al.,
vs. Appellants.
No. 119. The United States.

Mr. George C. Young, of counsel for the Appellants, suggested the death of Elias F. Drake, late of Washington, D. C., and the appointment of Alexander M. Drake and William P. Jenks as their successors as such Trustees, and moved the Court to make the said Alexander M. Drake and William P. Jenks parties appellants herein. Whereupon it is now here ordered by the Court that the said Alexander M. Drake and William P. Jenks be, and they are hereby, made parties appellants in this cause.

M. N. Meeks,
vs. Appellant,
No. 294. Christian Schale et al.

Appeal from the Circuit Court of the United States for the Northern District of [illegible]

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed with cost.

Per Mr. Chief Justice [illegible]

Bamberger, Keon & Co.
vs. Affirmed
N. H. Schoenfeld et al.

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. Milton Hamas of Counsel for the Plaintiffs in error, and Mr. Lawrence Cooper, of counsel for the defendants in error, and Court granted Counsel for the Plaintiffs in error to file a supplemental brief within 5 days.

306. De Ludwigne Steam Dye Wks. N.Y.Co.
vs. Appellant
Morris K. Jessup Surviving Trustee.
Morris K. Jessup, Surviving Trustee,
vs. Appellant.
307. The Illinois Central R.R.Co. et al.
and
Wallace Tuttle & Sherman Dye Wks. N.Y.Co.
vs. Appellant,
The Illinois Central R.R.Co.

It is ordered by the Court that these Cases be, and they are hereby continued until the next term, per stipulation of Counsel.

309. Alexander Frankenthal et al.
vs. Affirmed
N. Hall Lee &

The argument of this Cause was concluded by Mr. Frank P. Blair, of Counsel for the defendant in error, and the Court was furnished with printed argument of Mr. L. L. Hastings, of Counsel for the Plaintiffs in error.

Thursday, April 11th, 1895. Continued.

185. The United States, Appellant, vs. Rodgers et al.
192. The State of New York, Appellant, vs. The United States.

These cases were argued by Mr. David B. Hill, of counsel for the State of New York and Mr. Assistant Attorney General Whitney, of counsel for the United States.

345. Thomas Smith, vs. The United States, Appellant.

Motion of Mr. J. Wilkes Johnson of counsel for the respondent in this case is hereby granted him to file an additional printed brief herein.

231. Lowell M. Ellenwood, Admr. vs. Fiffin Brot, The Manitou &c.

The argument of the cause was commenced by Mr. E. B. Whitney, of counsel for the plaintiff in error, and continued by Mr. N. D. Hillis, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 15th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White

Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. A. N. Sterland it is ordered that Rufford N. Payne, Esquire, of Minneapolis, State of, Minnesota, be admitted to practice as an attorney and Counsellor of this Court and he was duly so accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Noah it is ordered that George H. Gibbons, Esquire of New York City, be admitted to practice as an attorney and Counsellor of this Court and he was duly so accordingly.

On motion first made to the Court in this behalf

Allen Dorsey Davidge, Jr. Esquire, of the District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. George C. Fry it is ordered that Miram Holbrook Rose, Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. C.W. Needham it is ordered that Publius V. Hoffman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

831. The Last Chance Mining Company et al., vs. Plffs in Error, The Tyler Mining Company

Writ of Error to the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals and of the Circuit Court of the United States for the District of Idaho

the same are hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of the United States for the District of Idaho with directions to grant a new trial.

Per Mr. Justice Brown

No. 711. Francis A. Coffin et al., Plffs in Error, vs. The United States. On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by this Court that leave be, and is hereby, granted the Clerk to issue the mandate in this cause.

Per Mr. Chief Justice Fuller

No. 1314 James D. Shiver, Plff in Error, vs. The United States. On consideration of the motion to advance this cause, it is ordered by the Court that said motion be, and the same is hereby granted, and the cause advanced as under the 3rd Rule to be submitted on printed briefs on or before the fourth Monday of September next, or on the Tuesday after the second Monday of October next, that counsel may be advised.

Per Mr. Chief Justice Fuller

936. Stephen M. Folsom, vs. Iliff in Error, The United States.

On consideration of the motion to advance this cause, It is, now here ordered, by the Court that said motion be, and the same is hereby granted, and the cause advanced as under the 3rd Rule, to be submitted on printed briefs on the first Monday after second Monday of October next.

Per Mr. Chief Justice Fuller.

938. A. F. McDowell, vs. Iliff in Error, The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced as under the 3rd Rule, to be submitted on printed briefs at any time on or before the first Monday of April next, and on the Tuesday after the second Monday of October next, as counsel may be entitled.

Per Mr. Chief Justice Fuller.

[illegible]. Warren F. Putnam, Iliff in Error, vs. The United States.
763. Warren F. Putnam, Iliff in Error, vs. The United States.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the second Monday of the next term, after the [illegible]

Monday October 10th 1825 Adjourned

Heretofore assigned for this day

per Mr Chief Justice Feller

Ex parte: In the matter of Hackley & Mattison Company. Petitioners

Consideration of the motion for leave to file a petition for a writ of mandamus herein. It is now here ordered by the Court that said motion be and the same is hereby granted.

per Mr Chief Justice Feller

Ex parte: In the matter of Hackley & Mattison Company. Petitioners

Consideration of the petition of the Hackley & Mattison Company

It is now here ordered by the Court that cause be shown by the Judges of the Circuit Court of the United States for the Southern District of New York before the Court at Washington, on Monday the 14th day of October next, at 12 o'clock Noon of that day, or as soon thereafter as Counsel can be heard why a writ of mandamus should not be granted as prayed in said petition

per Mr Chief Justice Feller

Monday, April 8th, 1850. Continued.

Alexander Frankenthal and Albert Frankenthal, Jr. trading under the firm of A. Frankenthal & Bro. Plaintiffs in Error vs. The United States

In Error to the United States Court for the Indian Territory

This Cause came on to be heard on the transcript of the record from the United States Court for the Indian Territory, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said United States Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Taney

185. The United States, Appellant, vs. The State of New York.

177. The State of New York, Appellant, vs. The United States.

It is ordered by the Court that these cases be, and they are hereby, restored to the docket for re-argument at the next term.

per Mr. Chief Justice Taney

1898. Theodore Lambert, Appellant, vs. George Brant, Sheriff of the County of Hudson in the State of New Jersey. Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

140. P. C. Mullingly, Administrator of William A. Mullingly, deceased, Appellant, vs. The Northwestern Virginia Railroad Company, The Parkersburg Branch Railroad Company and The Baltimore & Ohio Railroad Company. Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs, and this cause is remanded to the said Circuit

Monday, April 15th, 1895. Continued.

Court to be paid by The Baltimore & Ohio Railroad Company; And that this cause be and the same is hereby remanded to the said Circuit Court with a direction to remand it to the State Court.

Per Mr. Chief Justice Fuller.

No. 1[illegible] Mary C. H. Elias, Appellant, vs. Gilbert M. Robinson et al.

Mr. D. B. Edwards, of counsel for the appellant, submitted to the consideration of the Court a motion for leave to file a petition for leave to file a bill of review in this cause in the Circuit Court of the United States for the Eastern District of Louisiana.

767. Lew Rosen, Plff in Error vs. The United States.
930. W. H. Markham, Plff in Error, vs. The United States.
933. A. H. Bellen, Plff in Error vs. The United States.

Mr. Solicitor General Conrad submitted to the consideration of the Court motions to advance these cases.

987. Louis F. Streep, vs. The United States.

Mr. Solicitor General Conrad, of counsel for the defendant in error, [illegible] filed in open Court the following certificate of [illegible]

Circuit Court of the United States,
For the [illegible] District of [illegible]

I, John A. Shields, Clerk of the Circuit Court

United States for the Southern District of New York do hereby enlist Martin a certain cause depending in said Court wherein the United States of America was plaintiff and Louis F. Sheeps was defendant a final judgment was rendered by said Court on the twenty seventh day of July A.D. 1891 in favor of the said United States of America and against the said defendant and that on the said 27th day of July A.D. 1891 said defendant sued out a writ of error to said Circuit Court directed to remove said cause to the Supreme Court of the United States

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court at New York this 1st day of April A.D. 1895.

"John D. Shields, Clerk."

moved the Court to docket and dismiss this cause pursuant to the 6th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court It is therefore ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Southern District of New York be and the same is hereby dismissed and dismissed with costs

Cause and the same is hereby remanded

Monday, April 10th, 1899 continued

ing to law and justice

(per Mr. Chief Justice Fuller)

Charles P. Barrett
vs. Affidavit &c.
The United States

No. 955.

Mr. Solicitor General, Counsel of record for the defendant in error, having filed in open Court the following Certificate to wit:

"Circuit Court of the United States,
For the District of [illegible]

I, J. C. Hazood, Clerk of the Circuit Court of the United States for the District of [illegible] do hereby certify that in a certain cause pending in said Court wherein The United States were Plaintiff and Charles P. Barrett et al. for Violation of Sections 3450 R.S. U.S. were defendants, a final judgment was rendered by said Court on the twelfth day of December A.D. 1894 in favor of the said United States and against the said Charles P. Barrett and that on the 7th day of January A.D. 1895, said Charles P. Barrett [illegible] to said Circuit Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court at Charleston S.C. this 11th day of April A.D. 1895.

J. C. Hazood, Clerk

Mr. Solicitor General moved the Court to docket and dismiss

cause pursuant to the 25th rule; And it appearing to the Court that the Plaintiff in error has failed to show any cause why the said Record should not be remitted, with the rules of this Court. It is therefore ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of South Carolina, be and the same is hereby dismissed with costs. And that this Court do direct the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Taney.

William L. Hunter
vs.
Jeffin Dun.

1849.

Mr. Solicitor General, Counsel of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States,
For the Northern District of Georgia.

"I, Wm. C. Fuller, Clerk of the Circuit Court of the United States for the Northern District of Georgia, do hereby certify that in a certain cause depending in said Court wherein The United States of America were Plaintiffs and William L. Hunter was defendant, a final judgment was rendered by said Court on the fifth day of April A.D. 1849, in favor of the said United States of America and against the said William L. Hunter, and that on the ninth day of July A.D.

Monday April 10th 1893 Continued

Court to said Circuit Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I have unto subscribe my name and affixed the seal of said Circuit Court at Atlanta Ga, this fourth day of April A.D. 1893.

Clerk. Linton Fuller Clerk

Moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, & is now hereby ordered and adjudged by this Court that the writ of error in the above stated cause to the Circuit Court of the United States for the Northern District of Georgia be, and the same is hereby docketed and dismissed; and that the mandate of this Court in this behalf do issue, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller

295. The Town of Andes, Plaintiff in Error, vs. Dudley P. Sly.

The motion to continue this cause until the next term was submitted to the consideration of the Court on printed arguments by Mr. C. L. Sulzer in support of the same, and Mr. J. B. Johnson in opposition thereto.

No. 1078. Michael Francis Maloy, Appellant, vs. [illegible] Petitioner. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Walter D. Dunlap and Mr. William McArthur in support of the same, and Mr. R. A. Parsons, in opposition thereto.

Ex parte: In the matter of Robert H. Buchanan, Petitioner. Ordered by the Court that the hearing on the petition for a writ of error herein be and the same is hereby postponed until to

No. 1081. The Transport "Montauk" Co., Appellant, vs. The Erie & Western Railroad Company. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. George Bethune Adams and Mr. Franklin A. Wilcox, in support of the same, and Mr. H. H. Goodrich, in opposition thereto.

Monday, April 15th, 1895. Continued

383. The Prairie State National Bank, Appellant, vs. The United States. Motion of Mr. [illegible] Johnson in behalf of counsel, it is ordered by the Court that these cases be, and they are hereby, continued until the next term per stipulation of counsel.

384. The United States, Appellant, vs. Charles A. Hilchwood [illegible]

385. William L. Franks, Survivor, Plff in Error, vs. The State of North Carolina. Ordered by the Court that the cause be and the same is hereby passed for argument with case No. 374 when that case is reached.

392. George S. Wheeler et al., Plff in Error, vs. Catharine Mallon. Writ of Error to the City Court of Brooklyn, State of New York.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice [illegible]

381. James D. Campbell et al., Pltffs in Error, v. Richard T. Carroll, } In Error to the Supreme Court of the State of Missouri,

Appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed: Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(Per Mr. Chief Justice Fuller.)

396. The Union Pacific Railway Company, Pltff in Error, v. Robert E. Miller. } The motions to dismiss or affirm in this cause were submitted to the consideration of the Court upon the record and printed arguments by Mr. George G. Vest, in support of the same, and Mr. Willard Teller, Mr. Samuel Shellabarger and Mr. J. M. Wilson, in opposition thereto.

397. Louis Dejonge et al., Pltffs in Error, v. Daniel Magone, Collector &c. } Ordered by the Court that this cause be and the same is hereby continued until the next term, per stipulation of counsel.

Monday, April 15th 1895. Continued

332. James C. Keys Executor &c. vs. Appellant. Madden Appellee

Ordered by the Court that this cause be, and the same is, hereby, Continued until the next term for stipulation

314. Laurel H. Ellenwood Admr &c. vs. Aff in Error. The Macallen Brick Company

Reargument of this cause, was continued by Mr. A. D. Foblett of Counsel for the defendant in error and, concluded by Mr. E. B. Whitney, of Counsel for the plaintiff in

318. Winfield Scott & Keyes et al., vs. Appellants The Eureka Consolidated Mining Company

This cause was argued by Mr. R. E. Fook, of Counsel for the appellants, and Mr. A. B. Browne, of Counsel for the appellee

319. The County of Garfield vs. Aff in Error Henry M. Ogilvie et al.

Reargument of this cause was commenced by Mr. Thomas N. Jeans, of Counsel for the defendants in Error

Proclamation being made the Court is adjourned until tomorrow at eleven o'clock

Tuesday, April 16th, 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray, Associate
David J. Brewer, Justices
Henry B. Brown
George Shiras, Jr.
Edward D. White

John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf, by Mr. George F. Edmunds it is ordered that A. A. Ranney, Esquire, of Newport, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. E. J. Phelps it is ordered that B. F. Fifield, Esquire of Montpelier, State of Vermont be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Tuesday, April 16th, 1895.

345. The Town of Ambia, vs. Plff in Error, Dudley P. Ely. On consideration of the motion to continue this cause until the next term, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

309. D. E. Wood et al., vs. Plff in Error Bach, Cory & Company. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. G. Sears, Mr. C. H. Aldrich and Mr. P. V. Hoffman, of counsel for the plaintiffs in error, and Mr. R. A. Childs, of counsel for the defendant in error.

716. The Chicago, Kansas & Western Railroad Company, vs. Plff in Error, Clifford A. Copeland. On motion of Mr. William A. McKenney, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

342. The County of Garfield, vs. Plff in Error, Henry M. Hyde et al. The argument of this cause was concluded by Mr. Thomas S. Jerome, of counsel for the

sentant in error, and the cause was submitted on a printed argument by Mr. Charles J. Bonaparte, of counsel for the plaintiffs in error.

288 Railroad Co. (Railroad) v. Appellant, The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. T. Dillon, Mr. A. B. Browne and Mr. James Coleman, of counsel for the appellant, and Mr. Assistant Attorney General Boyd, of counsel for the appellee.

12 Original. In re Petition of Robert M. Buchanan (Petitioner.)

The petition for a writ of error herein was argued by Mr. J. J. Noah and Mr. Denis A. Shelissy, in support of the same, and Mr. John D. Lindsay, in opposition thereto.

295 The Chicago, Milwaukee & St. Paul Railway Company v. Appellant, The United States.

Section 16 of St. Paul R. R. Co. et al., Appellants, v. The United States.

Section 16 of St. Paul R. R. Co., Appellant, v. The United States.

It is ordered by the Court that sixty hours be allowed for the argument of this cause, on motion of Mr. Assistant Attorney General Dickinson, of counsel for the United States.

No. 93. The Chicago Milwaukee & St. Paul Railway Company vs. Appellant
The United States et al.
The Lion City & St. Paul R. R. Co. et al. vs. Appellants
No. 94. The United States.
And
The Lion City & St. Paul R. R. Co. vs. Appellees.

Argument of these cases commenced by Mr. Lange, for plaintiff in error in the Lion City & St. Paul Railroad Co. case and continued by Mr. H. M. Harris, of counsel for the Chicago Milwaukee & St. Paul Railway Co. et al.

(Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened;

On motion, it is ordered that William Minthorn, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was accordingly

So ordered.

In the matter of the Application of Robert H. Duckworth for a writ of error to the Supreme Court of the State of Illinois.

On consideration of the petition for a writ of error in, and of the entire record and proceedings had, as well in said Court of the State aforesaid, as in the Circuit Court of the United States for the Northern District of Illinois, and the same being duly considered by the Court, it is ordered that said petition be, and the same is hereby denied.

By Mr. Chief Justice Fuller.

376. The Farmers Loan & Trust Co. vs. The Chicago Portage & Superior Railway Co. Appellant. Ordered by the Court that this cause be continued until the next term, &c.

Stipulation of counsel.

393. The Chicago Milwaukee & St. Paul Railway Co. vs. The United States et al.) The Sioux City & St. Paul R.R. Co. et al. vs. The United States. Appellant. Reargument of these causes was continued by Mr. H. H. Norris of counsel for the Chicago, Milwaukee & St. Paul Railway Co. Mr. Assistant Attorney General [illegible] of counsel for the United States and Mr. M. M. Davis of counsel for Courtenay et al. and concluded by Mr. George B. Young of counsel for the Sioux City & St. Paul Railroad Co.

394. And The Sioux City & St. Paul R.R. Co. vs. Louis Courtenay et al. Appellees.

395. The Town of Andes, vs. Dudley P. Ely — Appellee. Reargument of this cause was commenced by Mr. William A. Johnson of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray, } Associate
David J. Brewer, } Justices.
Henry B. Brown,
George Shiras, Jr.
Edward D. White,
John F. Knight, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

H. N. Robertson, Collector &c. vs. Elgin et Bros. 398. On motion of Mr. Assistant Attorney General Whitney, it is ordered by the Court that the writ of error herein be and they are hereby continued, until the next term, per stipulation of counsel.

Morris J. Dreaker &c. vs. Elgin et Bros. 837. On motion of Mr. Assistant Attorney General Whitney, it is ordered by the Court that the writ of error herein be and they are hereby continued, until the next term, per stipulation of counsel.

Hall Robertson, Collector &c. vs. Elgin et Bros.

Eugene Deebe et al. vs. Elgin et Bros. 318. Mr. A. G. Bonaparte, of counsel for the plaintiffs in error, suggested the death of Eugene Deebe, one of the plaintiffs in error herein, and on motion,

The United States.

the same is hereby, continued until the next term.

Hiram Burney, Collector &c.,
vs. Error,
Joseph A. White et al.

No. 148.

Mr. Francis D. McKinney, of counsel for the defendants in error, filed a remittitur of part of the judgment herein and the cause was submitted to the consideration of the Court on the record and a joint memorandum signed by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error and Mr. A. H. Phillips and Mr. Francis D. McKinney, of counsel for the defendants in error.

The Town of Ames,
vs. Error,
Dudley P. Ely.

No. 195.

Re-argument of this cause was continued by Mr. J. B. Gleason, of counsel for the defendant in error and concluded by Mr. William A. Johnson, of counsel for the plaintiff in error.

M. L. Johnson, Captain U. S. Navy,
vs. Appeal
David D. Jay.

No. 91.

This cause was argued by Mr. L. H. Walker, for the appellant, on a special term of Court, and Mr. A. E. Warner and Mr. J. M. Nupper, of counsel for the appellee.

916 Yen Moon Ling
vs. Appellant
The United States et al.

Argument of the cause was commenced by Wm. Maxwell Esqr. of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 116. Lem Moon Sing, Appellant, vs. The United States. The argument of this cause was continued by Mr. Maxwell Evarts, of counsel for the appellant, and Mr. Assistant Attorney General Dickinson, of counsel for the appellee and concluded by Mr. Maxwell Evarts, of counsel for the appellant.

No. 529. The Rutland R.R. Co., Plaintiff in Error, vs. The Central Vermont R.R. Co.
No. 530. The Rutland R.R. Co., Plaintiff in Error, vs. The Central Vermont R.R. Co.

The argument of these causes was commenced by Mr. E. A. Poultney, of counsel for the plaintiff in error, continued by Mr. E. J. Phelps, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John F. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that H. N. Hubbard, Esquire, of Defiance, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. K. Redington it is ordered that J. T. Keena, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Mr. John T. Morgan is ordered that Frederick Charles Clift, Esquire, of Oakland State of California, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

No. 41. D. E. Roberts and J. T. Ellis, Appellants, v. The Northern Pacific Rail Road Company. Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

No. 164. The Risdon Iron & Locomotive Works, Appellant, v. Philip Medart and William Medart. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed

by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to dismiss the bill.

(Per Mr. Justice Brown.)

No. John S. DuBois, Appellant, vs. Arthur Sick. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Field.

No. The Richmond Silver Mining Company, vs. Affd in Error, Sebastian Koenigsberger, Administrator of Victor Berne, deceased. In Error to the Circuit Court of the United States for

Sebastian Koenigsberger Administrator of Victor Dorne, deceased
vs. Plff in Error,
The Richmond Water Power Company.

260. The District of South Dakota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Dakota, on writ of error and was argued by Counsel On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, each party to pay one half of the costs in this Court.

Per Mr Justice Gray

The Chief Justice announced that the call of the docket would be suspended on Friday, May 3d

The Ferryboat "Montclair" &c.,
The Hoboken Ferry Co., Claimant,
vs. Appellant,
The Erie & Amboy Railroad Company.

984. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit of

the argument of Counsel thereupon had, as well in support of the same against the same, It is now Hereordered by the Court that said petition be, and the same is hereby denied.

(per Mr. Chief Justice Fuller.

The New York Life Insurance Company, Plff in Error vs. Endora U. Smith, Administratrix of William F. Smith, deceased. Gall.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now hereordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Fuller.

Leverett Saltonstall, Collector of Customs for the Revenue District of Boston and Charlestown, Plff in Error, vs. Joseph Bothwell. Apl 8.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that

said petition be, and the same is hereby granted, nunc pro tunc as of the 5th day of April, 1894.

Per Mr. Chief Justice Fuller.

148 of Oct. T. 1893. Mr. Mary C. H. Pleitas, Appellant, v. Gilbert M. Richardson et al. On consideration of the petition for leave to file a bill of review herein in the Circuit Court of the United States for the Eastern District of Louisiana, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

767. Lew Rosen, Plff in Error, vs. The United States.
933. N. C. Billeu, Plff in Error, vs. The United States.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and they are hereby granted, and the cases assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

930. W. A. Markham, Plff in Error, v. The United States. On consideration of the motion to advance the cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the third Monday of November next.

Per Mr. Chief Justice Fuller.

Michael Francis Malony, Appellant,
vs.
Thomas Linden.

765. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

The Derwind-White Coal Mining Company, Appellant,
vs.
The Steamship "Kate" &c.

765. It is ordered by the Court that the order of submission herein be, and the same is hereby set aside, and that a writ of certiorari issue to the United States Circuit Court of Appeals for the Second Circuit requiring the whole record and cause to be sent up to this Court for its consideration.

Per Mr. Chief Justice Fuller.

William H. Armstrong, Appellant,
vs.
The United States.

768. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof

792.

Monday, April 29th, 1895, Continued

It is now hereordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed on the authority of United States v. Melchen, 148 U.S. 84.

Per M. Chief Justice Fuller

The County of Gratiot, Plff in Error, vs. Henry M. Aylesworth

In Error to the Circuit Court of the United States for the Eastern District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, the Court being fully advised in the premises

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Per M. Chief Justice Fuller

248 Hiram Barney, Collector of the Port of New York, Plaintiff in Error, vs. Joseph N. White and James White, surviving partners of the firm of White, Brown & Co. In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and it appearing to the Court that the defendants in error herein have filed in this Court a remittitur of $5,617.05, principal, and $119.34, interest, of the judgment of the said Circuit Court entered in this cause on the 16th day of October, A.D. 1890, and counsel for the plaintiff in error admitting that the judgment as reduced should be affirmed; It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed for the sum of $1,039.02, with interest thereon from March 24th, 1883, until paid, and costs in said Circuit Court, and that each party pay one-half of the costs in this Court.

Per Mr. Chief Justice Fuller.

273. The Newport News & Mississippi Valley Company, Plff in Error, vs. A. R. Rice. In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Chief Justice Fuller.

339. Clay Peters, Plff in Error, vs. The United States.
391. The Fleming Live Stock & Real Estate Co., Appt, vs. [illegible]
578. W. N. Cline et al, Plffs in Error, vs. The United States
645. John Shebro, Plff in Error, vs. The United States

Mr. Solicitor General Conrad submitted, to the consideration of the Court motions to advance these cases.

318. Lippman Toplitz et al., Plffs in Error, vs. Elwin A. Merritt, Collector. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention

of the Court by Mr. Solicitor General Conrad, of Counsel for the defendant in error and on motion of Counsel for the plaintiffs in error to dismiss this cause having been filed, Therefore in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

No. 107. F. J. Bannon et al., Appellants, v. The United States. The motion for an order granting the Clerk leave to issue the mandate in this cause was submitted to the consideration of the Court by Mr. Solicitor General Conrad in support of the same, and Mr. A. B. Browne and Mr. B. F. Lovell in opposition thereto.

No. 100. Plum & Moore, Plaintiffs in Error, v. The State of Missouri. Mr. F. G. Fletcher, in behalf of Counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of John M. Quarles, Jr., and Leland Boles, Petitioners. Mr. H. G. Glenn, of Counsel for the petitioners submitted to the consideration

And

James N. McEntire and John N. Lobb, Petitioners. For leave to file petitions for writs of habeas corpus here in and Leave was granted Mr. Attorney General to file a printed brief in opposition thereto within three days.

951. H. P. Hayward, vs. Plff in Error, Arthur N. Denny et al, Executors &c. Motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed argument by Mr. George M. Emory in support of the same and Mr. Charles E. Shepard in opposition thereto.

304. The Baltimore & Ohio Railroad Company, vs. Plff in Error, Emma Griffith On motion of Mr. John K. Cowen, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Section [illegible] of Rule [illegible].

215. Anthony P. Carr, vs. Appellant, H. A. Fife et al. And 793 James T. Shields, Jr. Receiver &c., vs. Appellant, John [illegible] On motion of Mr. A. J. May, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandates in these cases.

928. Theodore Lambert, vs. Appellant. George Brunell, Receiver. Mr. W. H. Jenkins, of Counsel for the appellee, submitted to the consideration of the Court a motion for an order granting the leave, to issue the mandate in this cause.)

943. The Steamship Beaconsfield &c., vs. Appellants, Albert H. Sanborn.) This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Parker Kinlin, of Counsel for the appellants, and Mr. William L. Choate, of Counsel for the appellee.)

944. The Rutland Railroad Co., vs. Plff in Error, The Central Vermont R.R. Co. and The Rutland Railroad Co., vs. Plff in Error, The Central Vermont R.R. Co. 830. The Rearguments of these Cases was concluded by Mr. George F. Edmunds, of Counsel for the Plaintiff in error.

962. C. N. Clark, vs. Appellant, Charles Foster.) The argument of this cause was commenced by Mr. Joseph S. Clark of Counsel for the appellant and continued by Mr. James McColgan, of Counsel for the appellee.

The argument being made the Court adjourned until Tues-

Tuesday, April 21st 1896

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras, Jr.
Edward D. White

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

Charles Pollock,
No. 893. vs. Appellant
The Farmers Loan & Trust
Company et al.

Lewis A. Hyde,
No. 911. vs. Appellant,
The Continental Trust Company of the City of New York et al.

It is ordered by the Court that the consideration of the two petitions for rehearing in these cases be postponed until Monday, May 4th next, when a full Bench is expected, and in that event, two counsel on a side will be heard at that time.

Per M. Chief Justice Fuller

Edward S. Ritchie, Appellant,
vs.
George W. Merrill et al.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record herein, therefore, in pursuance of the 16th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

C. H. Clark,
vs.
Charles Nelson.

Reargument of this cause was continued by Mr. Bernard Carter, of counsel for the appellant, and concluded by Mr. R. C. Dale, of counsel for the appellant.

Herbert S. De Selding,
vs.
William A. Haywood.

This cause was argued by Mr. Chapin Brown, of counsel for the appellant, and submitted on printed argument by Mr. H. C. Kingsley, of counsel for the appellee.

Tuesday April 23d 1878. Continued

305 John M. Boyd
" vs Appellant
The Janesville Mfg Co
Chipman et al

The arguments of
this cause was
commenced by
Wm Curtis & Bon
Elliott, of Counsel

for the appellant

Proclamation being made the Court is adjourn
ed until tomorrow at twelve o'clock

Wednesday, April 9th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Patrick D. McKenney it is ordered that William N. Ingersoll, Esquire, of Brooklyn, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Philip Mason it is ordered that Claude A. C. Rozell, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

Hopkins, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. J. Holdsworth Gordon it is ordered that Robert D. Murray, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

No. 148. William Burney, Collector &c., Plff in Error, vs. Joseph H. Wells et al

On motion of Mr. Frederic D. McKenney, of Counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

No. 317. John Bruce Thompson, Plff in Error, vs. The United States

In Error to the Circuit Court of the United States for the Southern District of New York

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 10th Rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

Per Curiam. Chief Justice Fuller

305. John M. Boyd, vs. Appellant. The Jamesville Clay Pool Company, Appellee. Reargument of this cause was continued, by Mr. Curtis J. Benedict of counsel for the appellant, and Mr. C. R. Offield, of counsel for the appellee, and concluded by Mr. Curtis J. Benedict, of counsel for the appellant.

306. Ozias H. Shipman, vs. The Thatcherville Central Mining Company. This cause was argued by Mr. Frederic D. McKenney, of counsel for the plaintiff in error, and J. Holdsworth Gordon, of counsel for the defendant in error.

Proclamation being made the Court is adjourned, until tomorrow at ten o'clock.

Thursday, April 28th 1887

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened

308. Ozias Townsend, Appellant, vs. The St. Louis & Sandoval Coal and Mining Company et al.

This cause was argued by Mr. Upton M. Young, of counsel for the appellant, and Mr. Green B. Raum, of counsel for the appellees.

310. Edward S. Richards, Appt, vs. The Chesapeake & Ohio R'y Co. et al.
311. Edward S. Richards, Appt, vs. The Michigan Central R'R Co. et al.
312. Edward S. Richards, Appt, vs. The Chicago & Grand Trunk R'y Co. et al.

These cases were argued by Mr. C. K. Offield of counsel for the appellant, and Mr. George S. Payson, of counsel for the appellees in Nos. 311 & 312, and Mr. John H. Munday, of counsel for the appellee in No. 310.

Wednesday, April 25th, 1895, Continued.

Newey Spalding et al.
vs. Appellants,
George Mason et al.

Reargument of
this Cause was
commenced by
Mr. W. Willoughby
of Counsel for the appellants, and continued by
Mr. H. L. Cole, of Counsel for the appellees.

Proclamation being made, the Court is adjourned
until to-morrow at twelve o'clock.

Friday, April 10th, 1891

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal
James A. McKenney, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. George E. Harris it is ordered that George Kearney, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

329 Robert J. Chester et al., Plffs in Error, vs. J. H. Wyly & B. T. Hillsman et al. In Error to the Supreme Court of the State of Louisiana

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore in pursuance of the 16th Rule of this Court, now here ordered that unless

by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

343 Harvey Spalding et al., vs. Appellees. George Duncan.

The argument of this cause was continued by Mr. W. L. Cole, of counsel for the appellee, and concluded by Mr. H. Hilloughby, of counsel for the appellants.

344 The Lehigh Valley R.R. Co., vs. Appellant, Francis Harvey et al.

The argument of this cause was commenced by Mr. Robert J. Fisher, of counsel for the appellant and continued by Mr. Elwood C. Agnew of counsel for the appellees, and Mr. Charles E. Mitchell, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 19th, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. Hampton Todd it is ordered that Edward H. Weil, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Butterworth it is ordered that Herbert P. Jennings, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

On motion by Mr. H. J. Johnston it is ordered that Harold G. Underwood, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert J. Fisher it is ordered that Levi B. Mricks, Esquire, of Harrisburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. Dodge, it is ordered that Thomas Hills Day, Jr. Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that D. B. Bingaldi, Esquire, of Jackson, Amador County, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday, April 9th, 1894. Continued.

255. The Gulf, Colorado & Santa Fé Railway Company, Plff in Error, vs. Kelley & Lewis, a firm composed of J. D. Kelley & [illegible], Def'ts in Error. In Error to the County Court of Milam County, State of Texas.

This cause came on to be heard on the transcript of the record from the County Court of Milam County, State of Texas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said County Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said County Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Shiras.

278. Joel Parker Whitney, Plff in Error, vs. Frank C. Taylor. In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

839 Chas Peters, Plff in Error, vs. The United States.
891 Pac Railway Land Grant & Real Estate Co. Appt vs. [illegible] A Beck.
895 H. N. Clune et al, Plff in Error, vs. The United States
896 John Ambro, Plff in Error, vs. The United States.
[illegible] Frank Moore, Plff in Error, vs. The State of Missouri.

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

309. D. C. Wood and William H. Stevens vs. Peck Iron & Company. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Chief Justice Fuller.

822. J. W. Todd et al., vs. Affirmed Error. The United States.

It is ordered by the Court that counsel, in this cause be, given four days, to file briefs upon the question whether a Commissioner of the Circuit Court of the United States when holding a preliminary examination may be regarded as a "Court of the United States" within section 5406 of the Revised Statutes.

Per Mr. Chief Justice Fuller

972. Charles L. Borgmeyer, Administrator &c., vs. Affirm'd in Error, William Todd et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. M. Hampton Todd and Mr. Edward A. Heil in support of the same, and Mr. Samuel F. Phillips and Mr. Frederic D. McKenney in opposition thereto.

877. The United States, Appellant, vs. The City of Santa Fé,
544. Daniel A. Bucklin, Appellant, vs. The United States.
961. Daniel A. Bucklin, Affirm'd in Error, vs. The United States.
956. Dan. K. Swearingen, Affirm'd in Error, vs. The United States.
960. George L. Wheeler, Affirm'd in Error, vs. The United States.
958. Dennis Davis, Affirm'd in Error, vs. The United States.

Mr. Solicitor General Conrad submitted to the consideration of the Court motions [illegible]

Case called.

Starling Tucker
vs. } In Error.
The United States

1895. Mr. Solicitor General Conrad, of Counsel for the defendant in error, having filed in open Court the following certificate to wit:

"District Court of the United States
For the Eastern District of Texas.

I, A. D. Brooks, Clerk of the District Court of the United States for the Eastern District of Texas, do Hereby Certify that in a certain cause pending in said Court wherein The United States were, plaintiff and Starling Tucker was defendant, a final judgment was rendered by said Court on the second day of January A.D. 1895 in favor of the said United States and against the said, Starling Tucker, and that on the first day of February, A.D. 1895, said Starling Tucker sued out a writ of error to said Circuit Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the Seal of said District Court, at Paris, this 11 day of April, A.D. 1895.

(Seal)

A. D. Brooks, Clerk,
by N. A. Kirkpatrick, Deputy.

moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the

his cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the District Court of the United States for the Eastern District of Texas be and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby remanded to the said District Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of James Lowry. Petitioner.

On motion of Mr. George C. Greene leave is hereby granted him to appear and file a printed argument herein on behalf of The Lake Shore & Michigan Southern Railroad Company.

No. 1492. Marion County, Texas, vs. Rufus Ervin, A. M. Coles & Co.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Rufus C. Garland and Mr. A. H. Garland, in support of the same, and Mr. H. S. Herndon, in opposition thereto.

705. The Devonia White Coal Mining Company, Appellant, vs. The Steamship Kate. Motions to advance this cause were submitted to the consideration of the Court by Mr. George Bethune Adams, of counsel for the appellant, and Mr. J. Parker Kirlin, of counsel for the appellee.

Ex parte: In the matter of William Belt, alias William Jones, Petitioner. Mr. George Kearney, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein and leave was granted Mr. Solicitor General Conrad to file a brief in opposition thereto within three days.

31. Joel B. Erhardt, Collector &c., Plff in Error, vs. Frederick A. Schroeder et al. Mr. Frederic D. McKenney, in behalf of counsel for the defendants in error, submitted to the consideration of the Court a motion to recall and modify the mandate in this cause.

997. Edward E. O'Brien, Appellant, vs. Bruce Alan Miller et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the con-

sideration of the Court on printed arguments by Mr. Wilhelmus Mynderse in support of the same, and Mr. George A. Black, in opposition thereto.

331. Patrick McAleer, Susan McShane, Ellen McSorley et al., Plffs in Error, vs. Alice S. Hill, as Executrix of William G. Hill, deceased, and Alice S. Hill.

In Error to the Supreme Court of the State of Washington.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

332. The State of Wisconsin ex rel. John R. Baltzell, Plff in Error, vs. Robert G. Siebecker, Circuit Judge &c.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

311. The Lehigh Valley R.R.Co. Appellant, vs. Francis Kearney etal. The argument of this cause was concluded by Mr. Charles E. Mitchell, of counsel for the appellant.

316. The National Park Bank of New York, Plff in Error, vs. William Remsen. Mr. Robert D. Murray, in behalf of counsel for the defendant in error, suggested the death of William Remsen, the defendant in error herein, and moved the Court to make Charles Remsen and William Maniee, Executors of said William Remsen, the parties defendants in error. Whereupon it is now here ordered by the Court that the said Charles Remsen and William Maniee, Executors of William Remsen, deceased, be, and they are hereby, made parties defendants in error in this cause.

316. The National Park Bank of New York, Plff in Error, vs. Charles Remsen & William Maniee Executors &c. This cause was argued by Mr. Robert D. Murray, of counsel for the plaintiff in error, and Mr. William A. Sparrell, of counsel for the defendants in error.

321. Marion Russell et al., vs. Plffs in Error,
The Maxwell Land Grant Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Sam W. Dodd, of counsel for the plaintiffs in error and Mr. Charles E. Gast and Mr. Frank Springer, of counsel for the defendant in error.

322. The Thorn Wire Hedge Co. vs. Appellant,
The Washburn & Moen Manufacturing Co.
and
The Washburn & Moen Manufacturing Co., vs. Appellant,
323. The Thorn Wire Hedge Co.

The reargument of these cases was commenced by Mr George C. Fraser, of counsel for the Thorn Wire Hedge Co.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

330. H. B. Eldridge, Appellant, vs. Peter J. Dugan et al. On motion of Mr. John Selden in behalf of counsel leave is hereby granted counsel for the appellees to file a printed brief herein within fifteen days from this date.

335. John A. Stanton, Philip J. Goddard and John A. Smith, Appellants, vs. The Union Trust Company of New York, John F. Dillon, George J. Gould et al. Appeal from the Circuit Court of the United States for the District of Arizona.

This cause having been called for hearing in its regular order, and appearing to the Court that the

parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court now hereordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

340. Charles McSorley and Ellen McSorley, Plaintiffs in Error, vs. Alice S. Hill, as Executrix of William C. Hill, deceased

In Error to the Supreme Court of the State of Washington.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

322. The Thorn Wire Hedge Co., Appellant, vs. The Washburn & Moen Manufacturing Co.

323. The Washburn & Moen Manufacturing Co., Appellant, vs. The Thorn Wire Hedge Co.

Reargument of these cases was continued by Mr. George C. Fry, of counsel for The Thorn Wire Hedge Co., and Mr. F. W. Lehmann and Mr. C. C.

Washburn, of counsel for The Washburn & Moen Manufacturing Co., and concluded by Mr. George C. Fry, of counsel for The Thomson-Houston Electric Co.

The Doctor S. A. Richmond Sewing Company, Appellant.
vs.
3211 Samuel A. Richmond

The argument of this cause was commenced by Mr. Benjamin Butterworth, of counsel for the appellant, and continued by Mr. William Henry Browne, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, May 1st, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. R. D. Hoyt it is ordered that E. C. Johnson, Esquire, of Port Townsend, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

344. The Northern Pacific Railroad Company, vs. George C. Ridgdale, In Error to the Circuit Court of the United States for the District of Minnesota.

This cause having been called to the attention of the Court by Mr. R. C. Garland, of counsel for the plaintiff in error, and he having moved the

Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

324. The Doctor S. A. Richmond Nursing Company, Appellant, vs. Samuel A. Richmond. The argument of this cause was continued by Mr. William Henry Browne, of counsel, for the appellee and concluded by Mr. Benjamin Butterworth, of counsel for the appellant.

325. O. W. Rash, Plaintiff in Error, vs. John H. L. Hadley. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. John A. Rogers, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

327. Nelly A. H. Green et al., Appellants, vs. George M. Bogue et al. Mr. George W. Smith, of counsel for the appellees, suggested the death of Henry Herein and moved the Court to make Nelia Hoyt, individually, and as Administratrix of said Henry H. Hoyt, and as

appellee herein. Whereupon, It is now here ordered by the Court that the said Delia Hoyt individually, and as Administratrix of Henry W. Hoyt, deceased, and as Guardian of Edith M. Hoyt, a minor, &c, and she is hereby made a party appellee in this cause.

327. Kelly N. R. Green et al., v. George M. Bogue et al. Appellants. This cause was argued by Mr. L. N. Bisbee, of counsel for the appellants, and Mr. George W. Smith, of counsel for the appellees.

330. W. B. Eldridge, v. Peter J. Rezeau et al. Appellant. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Wade R. Young, of counsel for the appellant, leave having been heretofore granted counsel for the appellees to file a printed argument within fifteen days.

336. Henry A. Eby, v. Solomon E. King et al. Appellant. The argument of this cause was commenced by Mr. Harold S. Underwood, of counsel for the appellant.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Enterprise Mining Co., Appellant
vs.
The Rio Grande Consolidated Mining Co. et al.

No. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed argument by Mr. Charles S. Thomas, in support of the same, with leave to counsel to file a printed argument in opposition thereto on or before the fifteenth

346. F. M. Thorp et al., Appellants
vs.
The Town Ditch Co.

On motion of Mr. R. C. Garland, of counsel for the appellants, It is ordered by the Court that

this cause be, and the same is hereby continued until the next term.

The Gulf, Colorado & Santa Fé Railway Co.
vs. Appellant,
350. P. Johnson et al. In Error.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. A. B. Browne, Mr. A. F. Britton, Mr. George W. Peck and Mr. [illegible] of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

Henry A. Eby,
vs. Appellant,
336. Solomon S. King et al.

The argument of this cause was continued by Mr. Harold G. Underwood of counsel for the appellant, and Mr. John G. Manahan, of counsel for the appellees, and concluded by Mr. Harold G. Underwood, of counsel for the appellant.

The Little Rock & Memphis Railroad Company,
vs. Appellant,
338. The East Tennessee, Virginia & Georgia Railroad Co. et al.

Ordered by the Court that this cause be, and the same is, hereby continued until the next term.

William Haws et al.,
vs. Appellants,
339. The Victoria Copper Mining Co.

Ordered by the Court that this cause be, and the same is

hereby continued until the next term.

Charles H. Horne
341. vs. Plff in Error,
E. A. Smith, Def't

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. Bisbee, of Counsel for the plaintiff in error, and Mr. George M. Robbins, of Counsel for the defendant in error.

N. P. Cowley,
342. vs. Appellant,
The Northern Pacific R. R. Co.

Ordered by the Court that this cause be and the same is hereby continued until the next term.

The City of Evansville,
885. vs. Plff in Error,
William S. Dinnett.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George A. Cunningham, of Counsel for the plaintiff in error, and Mr. George A. Henderson, of counsel for the defendant in error.

Amanda H. France,
343. vs. Plff in Error,
John H. Connor et al

Reargument of this cause was commenced by Mr. Charles N. Potter, of Counsel for the plaintiff in error, and continued by Mr. Samuel Shellabarger, of Counsel for the defendant in error, and Mr. A. B. Browne, of Counsel for the plaintiff in error.

Friday, May 24, 1895.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened.

813. Count Joseph Telfener, Appellant, vs. George W. Rives. On motion of Mr. Joseph H. Choate, of counsel for the appellee, leave was granted the Court to assign this case for re-argument at the present term. Whereupon, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

354. Lewis P. Kelsey et al., Appellants, vs. N. J. Crowder et al. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

357. The Michigan Dairy Co. et al. vs. [illegible] & Co. Courtney, Executor &c. Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

360. Ella L. Laing, vs. Plff in Error, Thomas L. Agney Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

332. James C. Hays, Executor and Trustee of Thomas V. J. Christophers, deceased vs. Appellant, Mahlon Agan. Appeal from the Circuit Court of the United States for the District of New Jersey.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

343. Amanda M. France, vs. Plff in Error, John H. Colvin et al Reargument of this cause was concluded by Mr. A. B. Browne, of counsel for the plaintiff in error.

And thereupon the Court is adjourned until

Monday, May 4th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices
George Shiras, Jr.,
Howell E. Jackson
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr. Attorney General Olney it is ordered that William Jay, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly sworn.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Albert D. Marks, Esquire, of Nashville, and Robert Pritchard and Foster V. Brown, Esquires, of Chattanooga, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George C. Hazelton it is ordered that R. D. Evans, Esquire, of Barbee, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Edwin Forrest, Esquire, of Washington, District of Columbia, and Leonidas D. Yarbell, Esquire, of Emporia State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Ralston it is ordered that Joseph Rothschild, Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lochren it is ordered that Orville Rinehart, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that Warren C.

A. Night, Esquire, of Portland, State of Maine, and Henry N. Rice, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that John C. Headden, Esquire, of Bay City, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was severally sworn accordingly.

103. Mary White, Francis P. White, Mary S. White et al., Appellants, vs. William J. Miller, Executor of Andrew J. Joyce, deceased, et al. Appeal from the Supreme Court of the District of Columbia. Submitted.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to proceed in accordance with the opinion of this Court. Per Mr. Justice Shiras.

733. The Pacific Railroad, Appellant, vs. The United States. } Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

270. John Simpson, Appellant, vs. The Steamer "Oregon," her tackle &c., The Oregon Short Line & Utah Northern Railway Company, Claimant. } Appeals from the Circuit Court of the United States for the District of Oregon.

273. The Oregon Short Line & Utah Northern Railway Company, Appellant, vs. The Ship "Clan Mackenzie," John Simpson, Claimant, et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, on appeal and cross-appeal and was argued by counsel. On consideration whereof, It is now here ordered,

of the said Circuit Court in this cause be, and the same is hereby reversed with costs to the original libellant as against the Steamship "Oregon" and with costs to the "Oregon" as against the intervenors; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Brewer.

277. The Corporation of the Catholic Bishop of Nesqually in Washington Territory, Appellant, vs. John Gibbon, P. M. Anderson, R. F. Pitman and The United States. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brewer.

Lowell H. Glenwood, Administrator of the estate of Lalonier Bailey, deceased,
Appellant,
vs.
The Phoenix Ins. Company

In Error to the Circuit Court of the United States for the Southern District of Ohio.

No. 211. Affirmed.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Gray.

M. L. Johnson, Captain United States Navy,
Appellant,
vs.
David B. Sayre.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

No. 91.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand [illegible] to the

Benjamin Rich Waller
Wood Richard Wood et al.,
vs. Appellants
17. Hamlin Beaxton and Mary E.,
his wife, late Mary E. Capeston
et al.

Appeal from the
Circuit Court of
the United States
for the District of
West Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

Jane M. Teall, Timothy N.
Teall and Harvey B. Teall
vs. Appellants,
275. A. Schroder, Thomas Borden,
Peter McGuire et al.

Appeal from the
Circuit Court
of the United States
for the Northern Dis-
trict of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field

705. The Second White Coal Mining Company, Appellant, vs. The Steamship Nellie Doe.

On consideration of the motions to advance this cause, It is now here ordered by the Court that said motions be and the same are hereby granted, and the cause assigned for argument on the first Monday of January 1896.

(Per Mr. Chief Justice Fuller.)

577. The United States, Appellant, vs. The City of Santa Fe.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the first Monday of January 1896 after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

544. Daniel A. Ducklin, Appellant, vs. The United States.
561. Daniel A. Ducklin, Plff in Error, vs. The United States.
562. Reyn. K. Swearingen, Plff in Error, vs. The United States.
563. George L. Wheeler, Plff in Error, vs. The United States.
564. Dennis Davis, Plff in Error, vs. The United States.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on the second Monday of the next term, after

the cases heretofore assigned for that day.

Per M. Chief Justice Fuller.

972. Charles L. Borgmeyer, Admr., vs. Kee in Error to William Schee et al., } Consideration of the motions to dismiss or affirm in this cause, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said motions be, and the same are hereby, denied, for the want of a printed record.

Per M. Chief Justice Fuller.

997. Edward E. O'Brien, Appellant, vs. Price Mac Millan et al. } On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per M. Chief Justice Fuller.

992. Marion County, Texas, vs. Fiffin, Error, A. M. Cates & Wife, Impleaded. } Ma petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

325. C. H. Rush, vs. Fiffin, Error, John H. S. Finley. } In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs, on the authority of Smith v. Missouri, No. 170, on the docket for the present term.

Per Mr. Chief Justice Fuller.

Monday, May 6th, 1895. Continued

350. The Gulf, Colorado & Santa Fé Railway Company, vs. Hefley & Lewis. In Error to the County Court of Coleman County, Texas.

E. Johnson & Lane

This cause came on to be heard on the transcript of the record upon the County Court of Coleman County, State of Texas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said County Court in this cause be and the same is hereby reversed with costs, on the authority of the Gulf, Colorado & Santa Fé Railway Co. v. Hefley & Lewis, No. 255, on the docket for the present term. And that this cause be and the same is hereby remanded to the said County Court for further proceedings not inconsistent with the opinion of the Court in that case.

Per Mr. Chief Justice Fuller

7. Original. The State of California, Complainant, vs. Southern Pacific Company.

It being brought to the attention of the Court that Counsel have agreed upon the amount hereinafter named as reasonable compensation in the premises, in addition to the allowance heretofore made for expenses,

It is ordered that the sum of three thousand dollars be and it is hereby allowed to William A. Maury, Esquire, as compensation for

rendered by him as Commissioner herein, and that said sum be taxed in the bill of costs accordingly.

Per Mr. Chief Justice Fuller.

No. 91. Joel B. Erhardt, Collector, &c., Appellant, v. Wm. Perry Brown, Frederick A. Schroeder et al. Reconsideration of the motion to recall and modify the mandate in this cause.

It is now here ordered by the Court that said mandate be, and the same is hereby, recalled and the judgment and mandate of this Court modified by striking therefrom the words "in order that the jury may pass upon the real character of the tobacco contained in the ten bales withdrawn by the importer."

Per Mr. Chief Justice Fuller.

No. 199. John D. Brindley, Appellant, v. The Arkansas & Louisiana Railway Company. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Monday, May 6th, 1889. [illegible]

228. Winfield Scott Keyes and Albert Arents, vs. The Eureka Consolidated Mining Company. Appellants, } Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

251. N. P. Sayward, vs. Plff in Error, Arthur A. Denny and N. X. Prefontaine, as Executors of the last will & testament of James Crawford, deceased. } In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

187. Louis F. Steep, vs. Riffin Exor, The United States

Mr. Frank N. Angel, of Counsel for the plaintiff in error, submitted to the consideration of the Court a motion to vacate the order docketing and dismissing this cause and for leave to file the transcript of record and docket the cause.

247. The Creston Oregon Gold Mining Co, Limited, vs. Riffin Exor, (U. S. Marshal)

On motion of Mr. J. K. Mitchell, of Counsel for the defendant in error, leave is hereby granted the Clerk to recall the mandate in this cause.

1009. The Grand Trunk Railway Company vs. Riffin Exor, Mary E. Kennard, Admrx

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr Melville Church, Mr. A. A. Stroud, Mr. Henry N. Rice, and Mr. Clarence A. Hight, in support of the same; and leave granted Counsel to file a printed argument in opposition thereto within one week.

186. The United States, Appellant, vs. Jean Chavez et al

Mr. Solicitor General Conrad submitted to the consideration of the Court

999. The United States, Motion to advance case
vs. Plff in Error,
A certain tract of land in
Cumberland Township, Adams
County, Pennsylvania.

978. Lovett Sallonstall, Collector &c., Mr. Solicitor
vs. General Conwell, of counsel
Joseph Bischoff, for the Plaintiff

in error suggested the death of Lovett Sallonstall the plaintiff in error herein, and moved the Court to make Rose L. Sallonstall, Philip L. Sallonstall and Richard M. Sallonstall, Executors of the said Lovett Sallonstall, the parties plaintiff in error. Whereupon it is now here ordered by the Court that the said Rose L. Sallonstall, Philip L. Sallonstall, and Richard M. Sallonstall, Executors of Lovett Sallonstall, deceased, be, and they are hereby made the parties plaintiffs in error in this cause.

946. N. N. Myers, The petition for a writ
vs. Appellant, of Certiorari, herein to
J. C. Logue et al, the United States Cir-
cuit Court of Appeals

for the Fifth Circuit, was submitted to the consideration of the Court on a printed argument by Mr. R. R. Briggs, in support of the same.

The National Life Insurance Company of Montpelier, Vermont, vs. Kiffin Rice, Mo. The Board of Education of the City of Fulton, Appellee in Error.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted, to the consideration of the Court on printed arguments by Mr. R. J. Wells in support of the same and Mr. R. D. Sweeney in opposition thereto.

709. August Bergemann, Appellant, vs. Edmund A. Rucker, Sheriff.

On motion of Mr. J. A. Salmon, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

51. The Baltimore & Potomac Railroad Co., et al., vs. Kiffin Rice, F. A. Mackey, Admr. &c.

Mr. F. A. Mackey, of counsel for the defendant in error, submitted to the consideration of the Court a motion for an order granting the Clerk leave to issue the mandate in this cause.

2. Original. The State of Virginia, Complainant, vs. The State of Tennessee.

Mr. A. Taylor Scott, of counsel for the complainant, submitted to the consideration of the Court a motion for a decree herein appoint-

ing Special Commissioners to re-mark the boundary line between the States of Virginia and Tennessee.)

913. J. H. White et al., Appellants, vs. Boyd Swing, Receiver &c. On motion of Mr. Hiber J. May, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32nd Rule.

970. Henry Morgan, guardian &c. et al., Appellants, vs. J. E. Potter, guardian &c. et al. On motion of Mr. Frederic D. McKenney, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

958. Robert B. Dashiell, Appellant, vs. James M. B. Stevenson et al. Mr. Frederic D. McKenney, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

1001. Sherman M. Knowles, Trustee, Appellant, vs. The Florida Central & Peninsular Railroad Co. et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was

submitted to the consideration of the Court on a printed argument by Mr. A. Disbee, in support of the same.

No. 68. John N. Colvin, Appellant, vs. The City of Jacksonville et al. Mr. Edwin Forest, on behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

No. 69. J. S. Noble et al., vs. Jeffries Ency, A. M. Mitchell, The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. Charles Hillyer, in support of the same, and Mr. John M. Shelton, in opposition thereto.

No. 3. Charles Pollock, App't, vs. The Farmers' Loan & Trust Co. et al.
No. 4. Lewis A. Hyde, App't, vs. The Continental Trust Co. of N.Y. et al.

The Chief Justice said:

In these cases appellants made application for a rehearing as to three propositions upon which the Court was equally divided, whereupon, the Attorney General presented a suggestion that if any rehearing were granted it should embrace the whole case. Treating this suggestion as amounting in itself to an application for a rehearing and not desiring to restrict the scope of the argument, we ask

down both applications to be heard to-day before a full bench, which the anticipated presence of our brother Jackson – happily realized – enabled us to do. No further argument will be desired. We were obliged however to limit the number of counsel to two on each side, but as to the time we await the suggestions of counsel.

Thereupon, on the suggestion of Mr. Joseph H. Choate, of counsel for the appellants, five hours is allowed counsel on each side for the argument of this cause.

915. John L. Moore, vs. Joseph L. Miller, Commissioner &c.) Appellant. On motion of Mr. J. M. Ulrich, of counsel for the appellant leave is hereby granted him to file an additional brief in this cause.

893. Charles Pollock, Appt, vs. The Farmers Loan & Trust Co. et al
894. Lewis N. Hyde, Appt, vs. The Continental Trust Co. of N.Y. et al

The argument of these cases was commenced by Mr. William D. Guthrie, of counsel for the appellants, and continued by Mr. Assistant Attorney General Whitney in behalf of the United States.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson
Edward D. White
John M. Wright, Esquire, Marshal,
James D. McKenney, Clerk

Proclamation having been made the Court was opened.

Sherman H. Knevals, Trustee, vs. Appellant, The Florida Central & Peninsular Railroad Co. et al. 1001.

On motion of Mr. Frederic D. McKenney in behalf of appellee, leave is hereby granted Counsel to file a printed brief in opposition to the petition for a writ of certiorari herein within five days.

893. Charles Pollock, Appt. vs. The Farmers' Loan & Trust Co. et al.
894. Louis F. Hyde, Appt. vs. The Continental Trust Co. of N.Y. et al.

The argument of these cases was continued by Mr. Assistant Attorney General Whitney and Mr. Attorney General Olney, in be-

Tuesday, May 7th, 1895. Continued.

Hall of the United States, and Wm. Joseph, of Choate, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Olney it is ordered that R. Walter Ringgold, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

615. John F. Moore, Appellant, vs. Joseph J. Miller, Commissioner &c.

Mr. Samuel Shellabarger, of counsel for the appellant, moved the Court for leave to make an additional oral argument in this cause. Whereupon it is ordered by the Court that the motion be and the same is hereby denied.

No. 3. Charles Pollock, Appt. vs. The Farmers Loan & Trust Co. etal.
No. 4. Louis A. Hyde, Appt vs. The Continental Fire Ins. Co. of N.Y.

The argument of this cause was concluded by Wm. Jay Jr. & Wm. Evarts Esqrs. for the appellants

Proclamation being made the Court is adjourned until Monday, May 10th, at twelve o'clock M.

Monday, May 20th, 1850

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Howell E. Jackson
Edward D. White

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is ope

On motion first made to the Court in this behalf by Mr. Wallace it is ordered that Francis A. Stephens, Esquire of Washington, District of Columbia, be admitted to practice as attorney counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Whitfield Logan it is ordered that Lamar Robinson, Esquire of the State of Mississippi, be admitted to practice as attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Wm. Samuel A. Duncan it is ordered that Prentiss S. Duncan, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Fred Seal it is ordered that Theodore Holland Wagner, of Indiana, Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. H. Hickman Smith it is ordered that Hugo Hinzler, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

573. Charles Pelton, Appt., v. The Farmers Loan & Trust Co. et al.
574. Lizzie A. Hyde, Appt., v. The Same.

It is ordered by the Court that the decree heretofore entered herein by this Court be and the same is hereby vacated and annulled.

Per Mr. Chief Justice Fuller.

Charles Pelton,
Appellant,
v.
The Farmers Loan & Trust Co. et al.

573. Appeal from the Circuit Court of the United States for the Northern District of

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to grant the decree prayed.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brown,
Mr. Justice Jackson &
Mr. Justice White.

Sgd.

Lewis A. Hyde, Appellant, vs. The Continental Trust Company of the City of New York. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be,

Monday, May 10th, 1886. Continued.

Circuit Court with directions to grant the relief prayed.

Per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice Harlan,
Mr. Justice Brown,
Mr. Justice Jackson and
Mr. Justice Gray.

Joseph S. Kennedy and
William R. Moore,
232. vs. Appeals in Error,
Daniel Magone, Collector of
the Port of Boston.

Writ of Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Gray.

The Episcopal City Mission and
George H. Reserve,
250. vs. Appellants,
Lucy P. Brown and John D. Brown.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript

the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice White

The Union Depot Railway Company
vs.
Offen, Trustee

Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice White

Monday, May 5th 1890 Continued

No. 66. Stephen Wright and Thompson Weeks, Plaintiffs in Error, vs. The United States. In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Mr. Mr. Justice White.

No. 11. James P. Stonecast, Plaintiff in Error, vs. George H. Stonecast. In Error to the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

Mr. Mr. Justice White

The Boston & Albany Railroad Company, vs. Riffin Exr. Robert G. Shelley

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and award a new

(for Mr. Justice Shiras)

The Northern Pacific Railroad Company, vs. Riffin Exr. Alfred G. Nelson

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was argued by Counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest,

judgments herein in the Courts of the State of Montana.

Per Mr. Justice

305. John M. Boyd, Appellant
v.
The Juneville Hay Tool Company et al.

Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice

Mr. Justice Gray did not hear the argument and took no part in the decision of this case.

93. Mary White et al., Appellants
v.
William J. Miller, Executor, et al.

It is ordered by the Court that the decree entered herein by the Court on the 26th instant be, and the same is hereby, reversed and set aside.

Per Mr. Justice

Mary White Francis F. White Mary S. White et al. v. William L. Miller, Executor of Milton J. Joyce, deceased, et al.

103. Appellants.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed the appellants Mary White and Francis F. White and the appellee, to pay one-half of the costs in the appeal. And that this cause be and the same is hereby remanded to the said Supreme Court with direction to proceed in accordance with the opinion of this Court. It is further ordered that this decree be certified forthwith by the Clerk of this Court to the said Supreme Court of the District of Columbia.

The United States, v. Appellant, Thomas Smith and Thomas Smith, v. Appellant, The United States.

285. 345.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript

and cross-appeal and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

Per Mr Justice Brown.

310. Edward S. Richards, Appellant, vs. The Chase Elevator Company and Henry J. Chase, Appellees. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Brown.

311. Edward S. Richards, Appellant, vs. The Michigan Central Railroad Company, The Board of Trade of Chicago, [illegible] Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and

Mary White Francis F. White, Mary S. White et al., Appellants, vs. William J. Miller, Executor of Julia A. Foyles, deceased, et al. } Appeal from the Supreme Court of the District of Columbia.

103.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged and by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed the appellants Mary White and Francis F. White and the appellees to pay one-half of the costs respectively and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to proceed in accordance with the opinion of this Court. It is further ordered that this decree be entered nunc pro tunc as of May 6th, 1895.

Per Mr. Justice Shiras.

The United States, Appellant, vs. Thomas Smith and Thomas Smith, Appellees. } Appeals from the Court of Claims.

284.

345. The United States vs. Thomas Smith.

This cause came on to be heard on the transcript

and cross-appeal and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown

310. Edward S. Richards, Appellant, v. The Chase Elevator Company and Henry J. Chase, Appellees. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown

311. Edward S. Richards, Appellant, v. The Michigan Central Railroad Company, The Board of Trade of Chicago & John Hutchinson. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and

argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

(per Mr. Justice [illegible])

313. Edward S. Rexford, Appellant, vs. The Chicago & Grand Trunk Railroad Company, The Board of Trade of Chicago, Appellee. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

(per Mr. Justice [illegible])

314. Elizabeth Waugh Waimwright, Thaddeus Phillips Beaconsfield, and William Libby, Appellants, vs. Albert M. Henderson. On certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate

for the Second Circuit must be remanded for further proceedings in conformity with the opinion of this Court that all of the questions certified must be answered in the affirmative.)
Whereupon it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

(Per Mr. Justice [illegible])

306. Chas. H. Shipman, Plaintiff in Error, vs. The Steubenville Central Mining Company.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

(Per Mr. Justice Brown,

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case.)

336. Henry A. Ebey — vs. — Solomon S. King, Hugh McHamilton & Edward Comm — Appellant — Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Brown

295. The Town of Indes — vs. — Dudley S. Ely — Writ of Error to the Circuit Court of the United States for the Northern District of New York

This cause came on to be heard on the transcript of the record upon the Circuit Court of the United States for the Northern District of New York, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State

Per Mr Justice Grier

Monday May 20th 1878 Appeals continued.

315. Herbert D. DeLillon vs. Appellant, William W. Howard } Appeal from the Circuit Court of the United States for the District of Colorado

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Bradley

316. The National Park Bank of New York vs. Appellant, Hiram Thor. Charles Remsen & William Manice Executors of William Remsen, deceased } Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Bradley

331. Winson Ancraft, Appt.
vs. Appeal from
The Maxwell Land Grant Co. the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Brown.

877 J. H. Todd, Allen Leighs and George Simms et al, vs. Appeal from the District Court of the United States for the Northern District of Alabama.
The United States.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Brown.

Ex parte: In the matter of John M. Charles, Petitioner. Order entered denying the motion for leave to file a petition for a writ of habeas corpus herein and the argument of counsel thereupon had. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

It is further ordered that said petition be, and the same is hereby, denied.

Per Mr. Justice Gray.

Dissenting:
Mr. Chief Justice Fuller.

Ex parte: In the matter of James McElvaine et al., Petitioners. Order entered denying the motion for leave to file a petition for a writ of habeas corpus herein and the argument of counsel thereupon had. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

It is further ordered that said petition be, and the same is hereby, denied.

Per Mr. Justice Gray.

Dissenting:
Mr. Chief Justice Fuller.

James Commons,
vs.
The United States
In Error to the District Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.
Per Mr. Justice Harlan.

Elizabeth Abraham, Abram Marks & Nathan Abraham, Appellants,
vs.
Frederick S. Ordway, Mary Elizabeth Ordway, Ellen Brooks, Rebecca Howard & Howard Ordway, jr.
Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.
Per Mr. Justice Harlan.

Monday, May 26th, 1890. Before Commissioner

816. The Union Pacific Railway Company vs. Hoffman Bros. Writ of Error to the United States Circuit Court of Appeals for the Eighth Circuit.

Robert [illegible] for Plaintiff in Error.

This cause came on to be heard on the transcript of record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of [illegible].

Per Mr. Chief Justice [illegible]

817. P. J. Brannon et al. vs. Whitney. Writ of Error to the United States Circuit Court.

On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause [illegible]

and of the argument of counsel thereupon, as filed in support of the motion [illegible]

It is now here ordered by the Court that the motion be, and the same is hereby, granted, and the Clerk is directed to issue the mandate in this cause.

Per Mr. Chief Justice [illegible]

Thomas Lambert
vs. Appellant
George Bissell Sheriff &c.

On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause, It is now here ordered by the Court that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause &c.

Per Mr. Chief Justice Fuller.

No. 94.

The Baltimore & Potomac Railroad Company et al.
vs. Appellants
Franklin A. Hiss, Administrator &c.

On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause, It is now here ordered by the Court that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause &c.

Per Mr. Chief Justice Fuller.

No. 136.

The United States
vs. Appellant
Jean Chauvenet et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term, with cause &c.

Per Mr. Chief Justice Fuller.

The United States
vs.
A certain tract of land in
Cumberland Township, Adams
County, Pennsylvania

No. 357.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument on the first Monday of January, 1896, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller

J. S. Noble et al.,
vs.
A. M. Mitchell.

No. 357.

On consideration of the motion to dismiss or affirm in this cause and of the argument thereupon had as well in support of said motion as against the same, it is now here ordered by the Court that said motion be and the same is hereby denied, for the reasons stated in the opinion of the Court.

Per Mr. Chief Justice Fuller

Robert B. Dashiell,
vs.
Appellant,
James M. [illegible]

No. 358.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January, 1896, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Lorin P. Sharp, Appellant, vs. The United States. No. 1187.

On consideration of the motion to recall the order docketing and dismissing this cause, and for leave to file a transcript of the record, and docket the cause, It is now here ordered by the Court that said motion be and the same is hereby granted, at the costs of the plaintiff in error.

It is further ordered that this cause be, and the same is hereby advanced and assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

N. N. Myers, Appellant, vs. J. B. League, J. R. Morgan, Franz Rohfleisch and others. Sutherland. No. 1960.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same,

It is now here ordered by the Court that said petition be and the same is hereby denied.

1001. Sherman H. Knevals, Trustee, Appellant
vs.
The Florida Central & Peninsular Railroad Company et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon heard as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice White.

1005. The National Life Insurance Company of Montpelier, Plaintiff in Error,
vs.
The Board of Equalization of the City of Memphis, Shelby County, Tenn. et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice White.

The State of Virginia, } On the recommendation of
3 Original. vs. } the Judges for a de-
The State of Tennessee, } cree herein appoint-
ing a special com-
missioner to ascertain the boundary line,
between the State of Virginia and Tennessee.

It is now ordered by the Court that
said motion be and the same is hereby de-
nied, and the decree heretofore entered
this is without prejudice to the filing of a new
bill or petition to obtain the relief sought.

Per Mr. Chief Justice Fuller.

The Enterprise Mining } On motion of Mr. Zenith
Company } of Counsel for the United
vs. } States Circuit Court of
1000. The Rico Upon Encrusted } Appeals for the Eighth
Mining Company et al. } Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had and due notice
[illegible] It is now ordered by the Court that said petition be and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Monday, May [illegible]

The Grand Trunk Railway Company, vs. Wm. Senn, Mary S. Stennant Executrix of John S. Stennant

1009. On petition for writ of certiorari to the United States Circuit Court of Appeals for the [illegible] Circuit for the [illegible]

In consideration of the petition for writ of certiorari, herein to the United States Circuit Court of Appeals for the [illegible] Circuit and the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is [illegible]

Per Mr. Chief Justice [illegible]

W. B. Shurtleff, Appellant, vs. Peter J. Thygeson et al.

330. Dismissed by the Court that the order of submission heretofore be, and the same is hereby, set aside and the cause restored to the docket for re-argument.

Per Mr. Chief Justice [illegible]

J. H. White et al., Appellants, vs. Boyd County [illegible]

113. Dismissed by the Court that this cause hereto-fore submitted as under the 30th rule be taken as submitted on printed arguments.

Per Mr. Chief Justice [illegible]

J. H. White et al., Appellants
v.
Boyd Swing, Receiver.

This cause was submitted to the consideration of the Court on the record and printed arguments of Heber J. May and Mr. Julius A. Carroll, of counsel for the appellants, and Mr. Robert Ballard and Mr. Foster V. Brown, of counsel for the appellee.

The Chief Justice announced that the Court would adjourn over for the term on Monday, June 3d next.

635. Benjamin H. Johnson, Appt., v. The United States et al.
636. Thomas Phelps et al., Appts., v. The United States et al.
637. Edwin C. Leighton, Appt., v. The United States et al.

Mr. Solicitor General submitted to the consideration of the Court motions to advance these cases.

The United States, Appellant,
1021. 781. v.
James M. Kennedy et al.

On motion of Mr. Solicitor General, of counsel for the appellant, it is ordered by the Court that this cause be, and the same is hereby advanced.

The United States, Appellant,
1021 v.
James M. Kennedy et al.

This cause was submitted to the consideration of the Court on the record, and printed arguments

by Mr. Wallace MacFarlane, of counsel for the appellant, and Mr. Charles Lowe, Mr. William Smith and Mr. David J. Meeks, of counsel for the appellee.

Rose L. Mallonee, Executrix, &c.,
vs.
Joseph Richards.

On motion of Mr. Solicitor General Conrad, of counsel for the plaintiffs in error, it is ordered by the Court that this cause be and the same is hereby advanced and assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Charles Smith, Plaintiff in Error, vs. The United States.
Archer Lowe, Plaintiff in Error, vs. The United States.

Mr. Solicitor General Conrad submitted to the consideration of the Court motions to advance these cases.

George Goode,
vs.
The United States.

The motion to advance this cause was submitted to the consideration of the Court by Mr. Solicitor General Conrad in support of the same and Mr. Charles W. Bartlett and Mr. Francis N. Stephens in opposition thereto.

1017 Brooke Muckall, Appellant, vs. Mabel Willoughby. The motion to vacate the supersedeas herein was submitted to the consideration of the Court on printed argument by Mr. A. A. Birney, in support of the same, and leave was granted Mr. N. C. Davis to file a printed argument in opposition thereto on or before

Ex parte In the matter of William P. Rockwell, Petitioner. Mr. James C. Carter, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for writs of habeas corpus and certiorari

1022 The Mayor &c. of the City of New York, Appellants, vs. Robert A. Van Wyck. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Harrington Putnam, in support of the same, and Mr. David J. Dean, in opposition thereto.

1017 The Standard Oil Co., Appellants, vs. Mary A. Tennessee. Mr. Harrington Putnam, of counsel for the appellees, sub-

mitted to the consideration of the Court a mo-
tion to advance this cause

Ex parte In the matter of
E. B. Brooks
Petitioner

Mr. J. Altheus Johnson of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus ad

Clay Peters
vs.
The United States

884. Mr. Fred. Beall, of counsel for the plaintiff in error moved the Court for leave to prosecute this cause in forma pauperis and that the transcript of record and brief of counsel for the plaintiff in error be printed at the expense of The United States. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied

The City of Evansville
vs.
Affia Fair,
William A. Bennett

885. Mr. A. W. Hatch, of counsel for the defendant in error, moved the Court for leave to argue this cause orally. Whereupon, It is now here ordered by the Court that said motion be and the same is hereby denied, but leave is granted counsel for the defendant in error to file an additional brief

argument herein within 20 days and to counsel for the plaintiff in error to file a reply thereto within 10 days thereafter.

556. Charley A. Leach and S. B. Lange, Appellants, vs. The National Mining Company of Kansas. Appeal from the Supreme Court of the Territory of Dakota.

It appearing to the Court that a motion by counsel for the appellants to dismiss this cause has been filed, therefore in pursuance of said motion, it is now hereby ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

793. James P. Shields, Jr., Receiver &c., Appellant, vs. John Coleman et al. Mr. A. H. Ingersoll, of counsel for the appellees, submitted, to the consideration of the Court a motion to recall and modify the mandate issued herein.

679. The Royal Blue Manufacturing Co., Plff in Error, vs. The Chicago Lumber Co. In Error to the Circuit Court of the United States for the Northern District of Illinois.

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss the writ of error

Monday May 4th 1801

has been filed, Therefore it is ordered and adjudged
accordingly. It is therefore ordered and adjudged
by this Court that the said Defendant
be and the same is hereby discharged out
of Custody. Per M. Chief Justice Marshall

Proclamation being made the Court adjourned
until Monday next at twelve o'clock

Monday, May 27th 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Associate Justices.

John M. Wright, Esquire, Marshal.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Wise Garnett it is ordered that Charles Platt Lincoln, Esquire, of Dallas, Texas, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly

On motion first made to the Court in this behalf by Mr. William Lochren it is ordered that Romer G. Brown, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly

On motion first made to the Court in this behalf by Mr. [illegible] it is ordered that Samuel G. Clinch, Esquire, of Washington, District of Columbia,

mitted to practice as an attorney and counsellor of this Court and was sworn accordingly.

Dwight Calle
vs.
Nora B. Haden

In Error to the Circuit Court of the United States for the Western District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of [illegible] and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of [illegible]

Mr. Justice [illegible]

263. The New York, Lake Erie & Western Railroad Company,
vs.
The Commonwealth of Pennsylvania

In Error to the Supreme Court of the State of Pennsylvania

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

&c. and the same is hereby affirmed with costs.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.

265 The Virginia Railroad Company, Plff in Error, vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause &c. and the same is hereby affirmed with costs.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.

265. The New York, Lake Erie & Western Railroad Company, Plff in Error, vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by Counsel. On consideration whereof, It is now here ordered

and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.

266. The New York, Pennsylvania & Ohio Railroad Company, Plff. in Error, v. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and was argued by counsel. On consideration whereof it is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed, with costs.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.

Nelly M. Green and Edward N. Green,
vs. Appellants
397 / George M. Bogue, Delia Hoyt, individually, and as Administratrix of Henry H. Hoyt, deceased, Administration of Edward M. Hoyt, deceased.

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong

William M. Bennett, for himself & as Administrator of Nath. Gibbons, deceased,
vs. Appellees.
355 / George Green

In Error to the District Court of the United States for the District of Illinois

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Illinois, and was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the

Monday, May 27th, 1895. [illegible]

same is hereby affirmed with costs.

Per Mr. Justice Brewer.

In Re: In the matter of Eugene V. Debs, George Wilkins Sylvester Keliher, L. W. Rogers, James Hogan, William Burns, Roy M. Gordon & Martin J. Elliott, Petitioners

On motion for leave to file petition for writs of habeas corpus and certiorari, herein, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice [illegible]

Lem Moon Sing, Appellant, v. The United States

Appeal from District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

Dissenting:

Mr. Justice [illegible]

No 9 Babe Beard, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

Per Mr. Justice Harlan

635. Benjamin N. Johnson, Appt, vs. The United States et al.
636. Samuel Merrick et al, Appts, vs. The United States et al.
637. Alvin C. Leighton, Appt, vs. The United States et al.
638. Charles Leigh, Plff in Error, vs. The United States for the Northern District of Alabama.
639. Wilbur Lewis, Plff in Error, vs. The United States for the Northern District of Alabama.
640. George Goode, Plff in Error, vs. The United States for the Northern District of Alabama.

On consideration of the motions to dismiss these cases, it is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument for the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

Monday, May 27th, 1895. Court met

No. 1. James P. Shelby, Receiver, Appellant
vs.
John Coleman et al.

On consideration of the motion to recall and modify the mandate issued herein, it is now here ordered by the Court that said motion be, and the same is hereby stricken from the docket.

Per M. Chief Justice

No. 57. The Steamship Delaware, Appellant
vs.
Charles H. Winnell, Appellee

On consideration of the motion to advance cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday in January 1896, after the cases heretofore assigned for that day.

Per M. Chief Justice

No. 41. John H. Colvin, Appellant
vs.
The City of Jacksonville

On consideration of the motion to remove cause, it is now here ordered by the Court that said motion be and the same is hereby granted, and the cause advanced as under the 3rd rule, and taken on submission on printed briefs.

Per M. Chief Justice

John A. Colvin
vs. Appellant,
The City of Jeffersonville et al

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. Dicker, of counsel for the appellant, and Mr. A. C. Cockrell and Mr. J. G. Cooper, of counsel for the appellees.

The Mayor, Aldermen & Commonalty of the City of Newburgh and Charles A. Ludington
vs. Appellants,
Robert H. Hardenbergh

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, and on the opposition of counsel against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the Matter of William P. Rockhouse, Petitioner.

On consideration of the motion for leave to file a petition for writs of Habeas Corpus and Certiorari herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said,

261 George D. Harter, M. D. Harter, Isaac Harter, Henry H. Harter and Louis Mears, Appellants, v. James C. Hardin. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Chief Justice Fuller.

262 E. W. Clark, Appellant, v. Charles Rankin. Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Monday, May 17th 1897, Continued.

The Lehigh Valley Railroad Company, Appellant
vs.
Francis Kinney, Executor &c. of Francis Kinney, deceased.

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Chief Justice Fuller.

John N. Colvin, Appellant
vs.
The City of Jacksonville and D.M. Fletcher, as Mayor thereof.

Appeal from the Circuit Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this

Crawford & Ridsby, alias
Cherokee Bill,
1024. vs. Plff in Error,
The United States.

On motion of Mr. Solicitor General
It is ordered by the
Court that the cause
be and the same is
hereby advanced and assigned for argument
on the second Wednesday of the next term after the
cases heretofore assigned for hearing.

The United States
1254. vs. Plff in Error,
A certain tract of land in
Cumberland Township, Adams
County, Pennsylvania &c.

On motion of Mr.
Solicitor General
It is
ordered by the Court
that the cause
be, and the same
is hereby, advanced and assigned for
argument on the first Monday of January, 1915,
after Case No. 1964.

The United States,
1032. vs. Appellant,
Merck & Co.

The petition for a writ of
Certiorari herein to the
United States Circuit
Court of Appeals for the
Second Circuit having been submitted to the consid-
eration of the Court on printed argument by
Mr. Solicitor General in support of
the same.

1033. The London Assurance, vs. Appellant, Companie de Maupeou Do Barriere.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the

Said Petition was submitted to the consideration of the Court on a printed argument by Mr. H. H. Marchand, in support of the same.

1035. Charles Slade vs. Appellant, The People of the Territory of Utah

On motion of Mr. A. J. S. Curtis in behalf of counsel for the Plaintiff in error, leave is hereby granted to prosecute this cause in forma pauperis in this Court.

1036. John D. Warner vs. Appellant, The City of New Orleans

Mr. Richard De Gray, of counsel for the appellant, moved the Court to advance this cause for and dispose of it. Whereupon, it is now here ordered by the Court that said motion be, and the same is hereby, denied. But the cause is advanced as under the 3d Rule to be submitted on printed arguments.

1076. Antonio Ortolas, Consul &c. vs. Appellant, Ynez Ruiz et al.

Mr. Frederic D. McKenney, of counsel for the appellant, submitted to the

consideration of the Court his motion

Monday, June 24, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
Edward D. White

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

261. Joseph L. White, Plaintiff in Error, vs. Martha Ann Lane Horn, James H. Boling et al, heirs at Law of Mary Ann Boling, deceased, et al. In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, except as to the issues between the defendants and the

Executors of Baker, defendants in the call in warranty; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to grant, on application of defendant, a new trial in regard to the issues between the defendant and the Executors of Baker, defendants in the call in warranty.

Per Mr. Justice White.

913 J. N. White et al., Appellants, vs. Boyd Ewing, Receiver of the Carrollton Coal Iron Company. On certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on certificate from the United States Circuit Court of Appeals for the Sixth Circuit and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the affirmative. Whereupon It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Brown.

935. The Wisconsin Central Railroad Company, vs. Appellant, William O. Forsythe. In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

(Per Mr. Justice Brewer.

Dissenting: Mr. Justice Harlan.)

(The Chief Justice took no part in the consideration and decision of this case.)

245. Henry F. Spencer, Plff in Err, vs. Alexander McDougall. In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Brewer.

The Chief Justice took no part in the consideration and decision

Monday, June 24, 1895. Continued.

The Texas & Pacific Railway Company
vs.
Robert H. Smith, Legatee &c. et al.

In Error to the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Brewer.

Charles H. Horne,
vs.
C. A. Smith and R. F. Smith.

In Error to the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this

130. Henry Hilton and William Libby vs. Ellis in Error
Gustave Stein, Eugene et al., Official Liquidator of the late, Henry Charles Eglin & Company, Ltd.

In Error to the Circuit Court of the United States for the Southern Dis. of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with direction to set aside the verdict and to order a new trial. It is further ordered that this judgment be entered nunc pro tunc as of the first Monday of November last.

Mr. Justice Gray.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan,
Mr. Justice Brewer and
Mr. Justice Jackson.

Henry Hilton & William Libbey late Copartners as P. Stewart & Company, Appellants, vs. Gustave Berlin Engel, as Official Liquidator of the late firm of Charles Tobin & Company, &c. &c. } Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court in the case of Hilton et al. vs. Engel et al., No. 30 on the docket for the present term. It is further ordered that this decree be entered nunc pro tunc, as of the first Monday of December 1890.

Mr. Justice Gray delivered the opinion of the Court.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Harlan,
Mr. Justice Brewer and
Mr. Justice Jackson.

15. Samuel J. Allerton, Plff in Error, vs. James B. McMullen and George H. McMullen. In Error to the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

Per Mr. Justice Gray.

(Mr. Justice White, not having been a member of the Court when this case was argued, took no part in the decision.)

139. The Central Land Company of West Virginia, Plff in Error, vs. John B. Laidley. In Error to the Supreme Court of Appeals of the State of West Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that

writ of error in this cause be, and the same is, hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Gray.

Dissenting: Mr. Justice Field.

284. The Central Land Company of West Virginia, Plff in Error, vs. John M. Lindley.

It is ordered by the Court that the mandate in this cause be withheld until the further order of the Court.

Per Mr. Justice Gray.

285. John Brown, Plff in Error, vs. The United States.

In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the judgment as well as the verdicts upon each count of the indictment, and grant a new trial.

Per Mr. Justice Harlan.

Dissenting:

Monday June 3d 1895 Continued

Mason P. Gray,
258. vs. } In Error to the Supreme
The State of Connecticut } Court of Errors of the State
of Connecticut

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be and the same is hereby affirmed with Costs.

Per Mr. Justice Gray

Ozias Townsend,
305. vs. } Appellant,
The St. Louis Standard Coal and Mining Company, The Standard Coal Co. of Illinois

Appeal from the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Per Mr. Justice Gray.
(announced by Mr. Chief Justice Fuller)

Monday, June 3d, 1878, Continued

Ex parte: In the matter of William Bell, alias William Jones. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, and of the argument of counsel in support of the same, &c., &c., &c., now here ordered by the Court that said Motion be, and the same is hereby denied.

Per Mr. Chief Justice Waite

The Grand Rapids & Indiana Railroad Company, The Continental Improvement Company, William H. Barnes and The Philadelphia Trust, Safe Deposit and Insurance Company, Plaintiffs in Error, vs. John M. Butler individually and as Executor of John Butler deceased, et al. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite

1021. The United States, Appellant, vs. James M. Burr & Charles G. Hardison. } Certificate from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the first question certified must be answered in the affirmative and the second question in the negative.

Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Waite.

970. John Simpson, Appellant, vs. The Steamer "Oregon" &c. and The Oregon Short Line & Utah Northern Railway Co., Appellant, vs. The Ship "Ida Thordsen" &c. } It is ordered by the Court that the decree heretofore entered in this cause by this Court be, and the same is hereby, amended by adding thereto the following words: "Without

prejudice, however to the right of the Court below or of the District Court, in its discretion, to hear the intervening petitions remitted to them and to issue process thereon against the Steamer "Oregon" for damages claimed in the

other proceedings therein as justice may require.
Per Mr. Chief Justice Fuller.

1026. Mariano Ornelas, Consul of the Republic of Mexico, Appellant, vs. [illegible] On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is, hereby granted and the cause assigned for argument on the first Monday of January, 1896, after the cases heretofore docketed for that day.
Per Mr. Chief Justice Fuller.

1027. The United States, Appellant, vs. [illegible] On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.
Per Mr. Chief Justice Fuller.

1033. The London Assurance, Appellant, vs. [illegible] On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the [illegible] Circuit.

herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel in support of the same. It is therefore ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of E. C. Beach, Petitioner. } In consideration of the motion for leave to file a petition for a writ of Habeas Corpus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of E. C. Beach, Petitioner. } In consideration of the petition of E. C. Beach It is now here ordered by the Court that cause be shown, by John F. Hunter, Marshal of the United States for the District of South Carolina, before this Court at Washington on the 11th day of October, 1895 at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of Habeas Corpus should not issue, as prayed in said petition.

Per Mr. Chief Justice Fuller.

Charles Shiede,
6038. vs. Writ of Error.
The People of the Territory of Utah,

On motion of Mr. Assistant Attorney General Dickinson, for the defendant in error, It is now here ordered by the Court that this cause be, and the same is hereby advanced and assigned for argument, on the second Monday of the next term after the cases heretofore assigned for that day.

Walter R. Higgs,
6046. vs. Appellant
Southern Pacific Railroad Company, Appellee.

Mr. Hubert Ashton, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"No. 6375.

In the Circuit Court of the United States, Ninth Circuit, Northern District of California.

Southern Pacific Railroad Company, Complainant,
vs.
Walter R. Higgs and Simon Newman, Defendants.
} In Equity.

I, W. J. Costigan, Clerk of the Circuit Court of the United States, Ninth Circuit, for the Northern District of California, do hereby certify that on January 16th, 1891, an order was entered herein by the Honorable Lorenzo Sawyer, Circuit Judge, allowing the appeal to the Supreme Court of the United States sued out by the defendant Walter R.

Court in the above entitled suit June 23, 1890, and entered on Sept. 6th 1890; and that on January 16th 1891 Joseph D. Redding Esq. Solicitor for the Complainant received bond & other Security for costs on said appeal.

In Witness Whereof I have caused the Seal of the said Court to be hereunto affixed, at the City of San Francisco, in the Ninth Circuit for the Northern District of California this 20th day of March A.D. 1895.

W. J. Costigan
Clerk of the Circuit Court of the U.S. Ninth Circuit, Northern District of California.

Moved the Court to docket and dismiss this cause pursuant to the 6th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is, Now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of California be, and the same is hereby docketed and dismissed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice

1090. The Lehigh Mining and Manufacturing Company, vs. Kiff in Error. J. J. Kelly, Jr. et al.

On motion of Mr. F. D. Blair, of counsel for the defendants in error, it is ordered by the Court that this cause be and the same is hereby advanced on and to the 3d Rule.

1091. Josephine Huppenmun, Appellant, vs. The Steamship "Lucile Pierce."

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. George H. Black, in support of the same and Mr. J. Parker Kirlin in opposition thereto.

1043. William Law et al., Appellants, vs. The Steamship "Rhine."

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. William D. Shipman, in support of the same and Mr. Harrington Putnam and Mr. Eugene P. Carver, in opposition thereto.

Edward S. Richards,
Appellant
vs.
The Michigan Central R.R. Co.

Edward S. Richards,
311. vs. Appellant,
The Michigan Central R.R. Co.

Edward S. Richards,
312. vs. Appellant,
The Chicago & Michigan Lake Shore R.R. Co.

It is ordered by the Court that the mandates in these cases be withheld until the further order of the Court.

per Mr. Chief Justice Taney

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the Court be, and the same are hereby, continued until the next term of this Court.

per Mr. Chief Justice

Proclamation being made, the Court is adjourned to the time and place appointed by law.

Minutes of the Supreme Court of the

At the Capitol
City of Washington on
being the present seat of
of the United States, on
October (being the first
month) in the Year of
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The Honorable Melvi
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John M. Wrig
Attorney

Proclamation being

The Chief Justice said:
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March, 1870, the day

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Supreme Court of the United

[illegible]

ller, Chief Justice,
n J. Field
M. Harlan
ce Gray
d J. Brewer
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e Shiras, Jr.
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[illegible] the 7th day of
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tained his companionship with the members of the bench he had adorned. It has been the immemorial usage for the Court on the first day of the term — a first day upon which a quorum appeared — not to proceed in the transaction of business, but to adjourn to wait upon the President of the United States. The President is absent, and we shall follow the usage. [illegible] to dispose of such matters as may be properly brought before us. All motions not submitted to-day may be brought on to-morrow and the usual order for the call of the docket that day will be entered.

The Honorable Richard Olney addressed the Court as follows:

I ask the indulgence of the Court, while I present my successor in the office of Attorney General of the United States, Mr. Judson Harmon.

The Chief Justice responded:

The Court parts with the retiring Attorney General with regret and is happy to welcome his successor. Let the Commission of the Attorney General of the United States be recorded.

Grover Cleveland,

President of the United States of America,

To all who shall see these Presents, Greeting:

Monday, October 7th 1895 Continued

Know Ye: That reposing special trust and confidence in the Patriotism, Integrity and Abilities of Judson Harmon, of Ohio, I do appoint him the Attorney General, and do authorize and empower him to execute and fulfil the duties of that Office according to law, and to have and to hold the said Office with all the powers, privileges and emoluments to the same of right appertaining, unto him, the said Judson Harmon, until the end of the next Session of the Senate of the United States, and no longer; subject to the conditions prescribed by law.

In Testimony Whereof, I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the eighth day of June in the year of our Lord, one thousand eight hundred and ninety five, and of the Independence of the United States of America the one hundred and twentieth.

Grover Cleveland.

By the President:
Edwin F. Uhl
Acting Secretary of State.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered

Monday, October 14th, 1895, Continued

that Floyd Hughes, Esquire, of Norfolk, Nelson, Virginia, and Charles A. Willard, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Nelson Andrews Sudduth, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that J. Hoge McNeil, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that William H. Middleton and Charles H. Bergner, Esquires, of Harrisburg, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Hinslow Paige it is ordered that Abram Ralph Serrin, Esquire, of Washington, District of Co-

Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Smith it is ordered that Morris D. Cooke Shaw, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tracy L. Affidavit is ordered that James A. D. Richards, Esquire, of New Philadelphia, State of Ohio be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

555. John Mebre, Plff in Error, v. The United States.
573. Warren F. Putnam, Plff in Error, v. The United States
574. Warren F. Putnam, Plff in Error, v. The United States

Mr. Solicitor General Conrad submitted to the consideration of the Court motions to re-assign these causes for argument.

792. The Louisville & Nashville Railroad Company, Plff in Error, v. The Commonwealth of Kentucky, ex rel.

Mr. H. J. Hendrick, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to

advance the cause

Ex parte: In the matter of
The Langford Stone School Co,
et al, Petitioners.

Mr. Alpheus H. Snow of counsel, for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus Herein

The City of New Orleans,
vs. Appellant,
32. The Texas & Pacific Railway Company et al

On motion of Mr. A. H. Snow, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, passed for settlement

Charles Davis,
vs. (Pltf in Error,
415. The Union Savings Bank

Mr. Edward Hinelow Paige, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to fix a day for the re-assignment of this cause

The Dubuque & Sioux City R.R. Co.,
vs. Appellant
49. Morris K. Jesup, surviving trustee.
Morris K. Jesup, surviving trustee,
vs. Appellant
50. The Illinois Central R.R. Co. et al
and
The Cedar Falls & Minnesota R.R. Co.,
vs. Appellant,
51. The Illinois Central R.R. Co.

Mr. B. F. Ayer, of counsel, moved the Court to substitute Joseph Sampson, Trustee, for Morris K. Jesup, surviving trustee, as a party in these cases, and that the cases be continued until

Monday, October 14th, 1895. Continued (2)

the next term per stipulation of counsel. Whereupon it is ordered by the Court that Joseph Simpson, Trustee, be, and he is hereby, made a party in these cases in the place of Monicok. Jeup, surviving trustee, and that these cases be, and they are hereby continued until the next term.

No. The Cedar Falls & Minnesota R. R. Co., Appellant, vs. The Illinois Central R. R. Co.

On motion of Mr. B. F. Tyler, leave is hereby granted Mr. Francis B. Daniels to withdraw his appearance as counsel for the appellant herein.

No. William A. Robertson, Collector of the Port of New York, Plff in Error, vs. Morris J. Brucker.

No. Morris J. Brucker, Plff in Error, vs. William A. Robertson, Collector of the Port of New York.

On Error to the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation to reverse the judgment of the Circuit Court in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court be, and the same is hereby reversed; and that this cause be, and the same

is hereby remanded to the said Circuit Court to be proceeded in in conformity with law.

Per Mr. Chief Justice Fuller.

The United States,
106. vs. Appellant,
Charles Julien, Administrator
of Hampton Julien, deceased.

Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad of counsel for the appellant and he having moved the Court to dismiss the appeal, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The United States,
108. vs. Appellant,
John L. Lowell,

Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the appellant and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

Monday, October 11th, 1875. Continued.

249. The United States, Appellant, vs. Daniel O. Finch, Appeal from the Court of Claims

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion it is now here ordered and adjudged by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Chief Justice Waite

71. Eugene Beebe et al., Plffs in Error, vs. The United States, Re death of Eugene Beebe, one of the plaintiffs in error heretofore having been suggested, now, on motion of Mr. Solicitor General Conrad, in behalf of counsel for the plaintiffs in error, It is ordered by the Court that William Beebe, Louisa Beery, Walter Beebe, Julia Mason and Ida Beebe, heirs at law, and H. N. Hallett, Administrator of said Eugene Beebe, deceased, be, and they are hereby, made parties plaintiffs in error in this cause.

162. The St. Louis & San Francisco Railway Co., Plff in Error, vs. Edward Hess, In Error to the Supreme Court of the State of Missouri

This cause having been called to the attention

Court by Mr. H. B. Browne, of Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

163. The St. Louis & San Francisco Railway Co., vs. Elf in Error, William Ryan.) In Error to the Supreme Court of the State of Kansas.

This cause having been called to the attention of the Court by Mr. H. B. Browne, of Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

52. William G. Tracy, survivor &c., vs. Elf in Error, The State of North Carolina.) Mr. H. B. Browne, in behalf of Counsel for the plaintiff in error, suggested the death of William G. Tracy, and the death of Hermann N. Ballzer having been heretofore suggested, and moved the Court to make Mattie P. Ballzer and Emma L. Ballzer, Executors and Executrix of

Hermann T. Baltzer, deceased, and Johanna Starks, Executrix of William T. Starks deceased the parties plaintiffs in error in this cause. Whereupon, It is now here ordered by the Court that the said Mattie T. Baltzer and Ernest T. Baltzer, Executrix and Executor of Hermann T. Baltzer, deceased, and Johanna Starks, Executrix of William T. Starks, deceased, &c, and they are hereby made the parties plaintiffs in error herein.)

H3. Joseph Ledoux et al., Appellants, vs. The United States. Mr. A. B. Browne, of Counsel for the appellants, submitted to the consideration of the Court a motion for leave to complete the transcript of record in this cause.

772. The Barber Asphalt Paving Co., Aff'g in Error, vs. The City of Uniontown. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the third circuit was submitted to the consideration of the Court on printed arguments by Mr. William A. Middleton, in support of the same, and Mr. A. S. Worthington and Mr. Charles A. Deegan, in opposition thereto.

6 Original. Ex parte: In the matter of The Kenesby & Mattison Co., Petitioners. This case was submitted to the consideration of the Court on printed arguments

by Mr. Edward K. Jones, in support of the petition, and Mr. William A. Abbott in opposition thereto.

No. 98. The Pate Refrigerating Co., Appellant, vs. Daniel Taffey, George C. Taffey and Lewis A. Taffey. Appeal from the Circuit Court of the United States for the District of New Jersey.

Now appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed, Therefore in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

No. 117. The Illinois Central Railroad Company, Plaintiff in Error, vs. The City of Mattoon. In Error to the Supreme Court of the State of Illinois.

Now appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

172. P. D. Sleed Administrator of John M. Henderson deceased, Plff in Error, vs. The Norfolk & Western Railroad Company. In Error to the Circuit Court of the United States for the Western District of Virginia.

Appearing to the Court that counsel for the Plaintiff in error to dismiss the cause has been filed. Therefore, in pursuance of said authority, It is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

178. The State of Washington ex rel. The Columbia & Puget Sound Railroad Company, Plff in Error, vs. The Board of Railroad Commissioners et al. In Error to the Supreme Court of the State of Washington.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

Per Mr. Chief Justice

No. 1[illegible]. The Eastern Railway Company of Minnesota, Pet. Pltff in Error, vs. John L. Wilson. In Error to the Supreme Court of the State of Minnesota.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

No. 1[illegible]. Edward Moller, Appellant, vs. The Albuquerque Hotel and Opera House Co. et al. Appeal from the Supreme Court of the Territory of New Mexico.

It appearing to the Court that an authority of counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said authority, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

1714. Harvey Birch, Plff in Error
vs.
William Crawford, Deft in Error

In Error to the Supreme Court of the Territory of Utah

Happearing to the Court that counsel for the Plaintiff in error to dismiss this cause has been filed. Therefore in pursuance of said authority, It is now here ordered, adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Taney

1715. The Western Union Telegraph Company, Appellant
vs.
The City Council of Charleston et al

Appeal from the Circuit Court of the United States for the District of South Carolina

Happearing to the Court that counsel for the appellant to dismiss this appeal has been filed, Therefore, in pursuance of said authority, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney

The Chief Justice announced that the Court would commence the call of the docket to-morrow pursuant to the Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that A. B. Roney, Esquire of Philadelphia, State of Pennsylvania, and Richard H. Cunningham, Esquire, of Henderson, State of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that Charles E. Flandin, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Mr. Joseph A. Wade is ordered by Gen. Charles A. Baldwin, Esquire of Chicago, State of Illinois, heretofore admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. G. Garland it is ordered that Cecil A. Smith Esquire, of Sherman State of Texas, heretofore admitted, to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert J. Hill it is ordered that Joseph C. McAllister, Esquire, of New Bloomfield, State of Pennsylvania, heretofore admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

143 Joseph Lalone et al., vs. The United States. Ordered by the Court that this Cause be, and the same is hereby, dismissed.

545. James D. Shiver, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. M. D. Hickersham and Mr. J. H. Smith, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error, and leave being granted counsel for the plaintiff in error to file additional brief

over before Friday next.

550. Stephen M. Folsom, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. A. Hilliard, Mr. Neill B. Field and Mr. F. H. Raney of counsel for the plaintiff in error, and Mr. Solicitor General Conrad, of counsel for the defendant in error.

Mr. Charles A. Hilliard, of counsel for the plaintiff in error, also submitted a motion for leave to argue this case orally.

551. A. F. McDowell, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. McLean Johnson, of counsel for the plaintiff in error and Mr. Assistant Attorney General Dickinson of counsel for the defendant in error.

Wm. S. Pierce et al, Plffs in Error, vs. The United States.
553. David S. Stanley et al, Plffs in Error, vs. Mary N. Schwalby et al.
681. John Stevenson, Plff in Error, vs. The United States.
682. Eli Lucas, Plff in Error, vs. The United States.
683. John Allen, Plff in Error, vs. The United States.
Capt. George H. Post, Plff in Error, vs. The United States.
721. Frank Crane, Plff in Error, vs. The United States.
724. Field et al, Charles D. Lay, Plff in Error, vs. William Schuyler Sommers.

Mr. Solicitor General Conrad submitted to

Tuesday, October 13th, 1891. Continued.

the consideration of the Court's motion to advance these cases.

719. George L. Moore, Plff in Error, vs. The United States. The motion to advance this cause was submitted to the consideration of the Court by Mr. Solicitor General Conrad in support of the same, and Mr. W. McKinstry, in opposition thereto.

662. The Western Union Telegraph Co., Plff in Error, vs. Thomas Taggart, Auditor of Marion County, Indiana, etc. Mr. H. A. Coleman, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

734. The Steamship Centurion &c., vs. The American Sugar Refining Co. et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. H. H. MacFarland, in support of the same, and Mr. George A. Black and Mr. J. Parker Kirlin, in opposition thereto.

576 Swan Dacon, Piff in Error, vs. Angelica Hazlehurst
577 Swan Dacon, Piff in Error, vs. Alice M. Cornwell

The petition for writs of Certiorari, in these causes to the United States Circuit Court of Appeals for the Second Circuit, was submitted to the consideration of the Court by Mr. Walter S. Logan, in support of the same, and Mr. Amos Mathby, in opposition thereto.

582. Charles L. Bongneyer, Adm'r &c., Piff in Error, vs. Nathaniel Hazelhurst

Motions to dismiss or affirm in this cause were submitted, to the consideration of the Court on the record, and printed arguments by Mr. Edward H. Hall and Mr. M. Hampton Todd, in support of the same, and Mr. S. F. Phillips, Mr. J. E. McKenney and Mr. Henry A. Simmons, in opposition thereto.

665. The State of Missouri ex rel: The Toledo St. Louis & Kansas City R'y Co., Piff in Error, vs. Michael S. Mathby, Board of Commissioners &c.

Mr. Henry Hitchcock, in behalf of counsel, for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, and consented thereto.

14. The Washington & Idaho R. R. Co., Appellant, vs. The Coeur d'Alene Railway & Navigation Co. et al

On motion of Mr. Samuel Hallaban-ger, of counsel for the appellant, &

Tuesday, October 13th, 1891. Continued.

5. The Washington & Idaho R. R. Co., Appellant, vs. William Osborn. — is ordered by the Court that these cases be, and they are hereby, passed for fifteen days.

585. The Washington & Idaho R. R. Co., Plaintiff in Error, vs. The Coeur d'Alene Railway & Navigation Co., et al. — On motion of Mr. Samuel Shellabarger of Counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby advanced and assigned for argument with Nos. 11 and 12, and

754. Fallbrook Irrigation District et al., Appellants, vs. Maria Kimp Bradley et al. — Mr. Henry Hubbard, in behalf of Counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause.

2, Original. The State of Indiana, Complainant, vs. The State of Kentucky. — The motion for an order appointing Commissioners to ascertain and run the boundary line between the States of Indiana and Kentucky in conformity with the opinion of this Court, was submitted to the consideration of the Court by Mr. Richard N. Cunningham of

Counsel for the defendant and Mr. William A. Meloche, Counsel for the complainants.

754. Nancy C. McCready, et al., Appellants, vs. The Lehigh Valley Railroad Co. On motion of Mr. Frank Pugh, Esq. of Counsel for the Appellants, It is ordered by the Court that this cause be, and the same is hereby, dismissed.

755. The Central Pacific Railroad Co., Plff. in Error, vs. The People of the State of California. Def't in Error. 756. The Southern Pacific Railroad Co., Plff. in Error, vs. The People of the State of California, Def't in Error. Mr. L. F. Michener, in behalf of Counsel for the defendants in error, submitted to the consideration of the Court motions to dismiss these cases.

757. The Canton Insurance Co., Limited, et al., Appellants, vs. John Mac Bilger, Jr., et al. 758. John Mac Bilger, Jr., et al. Appellants vs. The Canton Insurance Co. Limited, et al. The petitions for writs of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit, were submitted to the consideration of the Court on printed arguments by Mr. Floyd Vaughan and Mr. J. Parker Kirlin, in support of the same in No. 757, and Mr. Robert M.

Wednesday, October 8th, 1890.

Mr. Wilhelmus Mynderse, in opposition thereto in both cases.

249. The St. Louis & San Francisco Railway Co., Plff in Error, vs. Miss Jessie Dixon, Dfdt in Error, } Discussed, submitted to the consideration of the Court on the record and printed arguments by Mr. George A. Peek, Mr. A. T. Britton, Mr. A. B. Browne and Mr. E. D. Kenna, of counsel for the Plaintiff in error, and Mr. Frank H. Hackett, of counsel for the defendant in error.

668. The Bank of Commerce et al., Plff in Error, vs. The State of Tennessee.
669. " " " " " " " " " vs. The State of Tennessee et al.
670. The Mechanics Savings Bank et al., " " " vs. The State of Tennessee use &c.
671. " " " " " " " " " vs. The State of Tennessee et al.
672. The Home Ins. & Trust Co., et al., " " " vs. The State of Tennessee use &c.
673. " " " " " " " " " vs. The State of Tennessee et al.
674. The Memphis City Bank et al., " " " vs. The State of Tennessee use &c.
675. " " " " " " " " " vs. The State of Tennessee et al.
676. The Mercantile Bank et al., " " " vs. The State of Tennessee et al.
677. " " " " " " " " " vs. The State of Tennessee et al.
678. The Hunters Fire & Marine Ins. Co., et al., Plff in Error, vs. The State of Tennessee et al.
679. " " " " " " " " " vs. The State of Tennessee et al.
680. The German Bank et al., Plff in Error, vs. The State of Tennessee use &c.
681. " " " " " " " " " vs. The State of Tennessee et al.
766. The County of Shelby et al., Appls, vs. The Union Planters Bank &c.

Mr. Samuel P. Walker, of counsel for the defendants in error and appellants, submitted to the consideration of the Court on the record and printed arguments

These Cases

The Central Trust Company of New York,
vs. Appellant,
The Richmond, Nicholasville, Irvine & Beattyville R.R. Co. et al.

No. 7. Petition for a writ of certiorari here in to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Royal Meissinger, in support of the same, and Mr. Alexander Pope Humphreys, in opposition thereto.

William H. Dinham, Adm'r &c., et al.,
vs. Appellants
James E. Jones et al.

1. Ordered by the Court that this Cause be, and the same is, hereby, passed for ten days.

The Southern Pacific Railroad Company of New Mexico,
vs. Pltff in Error,
Teofilo Esquibel.

2. In Error to the Supreme Court of the Territory of New Mexico

This Cause having been called for hearing in its regular order, and it appearing to the Court that this is the second term at which this Cause has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this Cause should be dismissed, at the cost of the Plaintiff in error, pursuant to the

19th rule of this Court. Whereupon, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

3. Henry Dow, Appellant, vs. Johnson, Collector, etc. et al. Ordered by the Court that this cause be, and the same is hereby, passed for hearing.

15. Frank P. Dickson, Appellant, vs. Richard C. Patterson. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. H. Norsman, of counsel for the appellant, and Mr. John L. Webster, of counsel for the appellee.

17. E. Nalle & Co., Appellants, vs. Wade R. Young et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. J. Boalner, of counsel for the appellants, and Mr. Wade R. Young, of counsel for the appellees.

24. E. P. Pollard, Appellant, vs. The Bonsack Machine Co. Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause having been called for hearing on the

regular order, and it appearing to the Court that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the appellant, pursuant to the 16th rule of this Court. Whereupon, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

No. Hyman Loan et al., Plffs in Error, vs. Edward Magone, Collector &c. This cause was argued by Mr. A. E. Tremain, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 16th, 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Stanley Matthews
} Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that Fred Roberts, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

718. James Murray, alias Greasy Jim, vs. Plff in Error, The State of Louisiana

Mr. Thomas J. Mather, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis and that the transcript of record be printed at the public expense.

Lewis F. Duval et al.,
623. vs. Appellees in Error,
The Pullman Palace Car Co.

The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. J. L. Peeler, in support of the same, and Mr. Roby Roberts, in opposition thereto.

California Fig Syrup Co.
775. vs. Appellant
Nate Shannon, Collector

The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court on a printed argument by Mr. F. H. Lehman and Mr. Paul Barkewell, in support of the same.

Albert Price et al.,
25. vs. Appellees in Error,
Elijah Shivers

Ordered by the Court that this cause be, and the same, is hereby dismissed for settlement

F. F. Duffy, Auditor, et al.,
27. vs. Appellants,
Alexander D. Dean et al

Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record,

Wednesday October 16th 1889, Continued

Court now here ordered adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller

29. Louis A. Salomon Adl. vs. Affd in Error, Wm. H. Robertson Collector &c. — Ordered by the Court that this cause &c. and the same is hereby dismissed

36. George H. Fulton & Co. vs. Affd in Error, The United States — This cause was argued by Mr. F. P. Prichard, of Counsel for the plaintiffs in error and Mr. Assistant Attorney General, Attorney of Counsel for the defendant in error

38. The Simons & St. Peter Land Co. vs. Affd in Error, The State of Minnesota. — And — 31. The Simons & St. Peter Land Co. vs. Affd in Error, The State of Minnesota in Error. — These causes were argued by Mr. James A. Tawney, of Counsel for the plaintiff in error and Mr. A. H. Childs, of Counsel for the defendant

40. The Washington Gas Light Co. vs. Affd in Error, The District of Columbia — Reargument of this cause was commenced by Mr. Walter D. Dodge, of Counsel for the plaintiff in error.

Reargumentation being made the Court adjourned until to-morrow at twelve

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Lovell it is ordered that William A. Baker, Esquire of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

George E. Shute, Sheriff, and Adolph Ladenburg, Ernst Thalmann and Abraham Kimbrough, co-partners under the firm name of Ladenburg, Thalmann & Co.,
vs.
William Keyser.

Appeal from the Supreme Court of the Territory of Arizona.

168. Appellants.

Stipulation to the Court that a stipulation agreed

for the respective parties to dismiss the appeal, has been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged, and decreed by this Court that the appeal be and the same is hereby dismissed, each party to pay one-half of the costs in this Court.

Per Mr. Chief Justice Fuller.

62. N. B. Eldridge, Appellant, vs. Peter J. Rogers et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hale R. Young, of Counsel for the appellant, and Mr. H. J. Cunningham, of Counsel for the appellees.

63. The State of Wisconsin ex rel. John R. Baltzell, Plff in Error, vs. Robert G. Siebecker, Circuit Judge, etc.

Ordered by the Court that this cause be, and the same is hereby, dismissed.

110. The Washington Gas Light Co., Plff in Error, vs. The District of Columbia.

Argument of this cause was continued by Mr. Walter D. Eldridge, of Counsel for the plaintiff in error, and Mr. S. T. Thomas and Mr. A. B. Duvall, of Counsel for the defendant in error, and concluded by Mr. William B. Hebb, of Counsel for the plaintiff in error.

Charles A. Meeks, Plaintiff in Error, vs. Coleman Bridgman, Defendant in Error. This cause was argued by Mr. M. D. Grover, of Counsel for the Plaintiff in error. No Counsel appeared for the defendant in error.

145. The United States, Appt vs. The State of New York.
136. The State of New York, Appt vs. The United States.

The argument of these cases was commenced by Mr. David B. Hill of Counsel for the State of New York.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, October 10th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Samuel Blatchford
John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lewis Abraham it is ordered that Richard B. Blake, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 162. The St. Louis & San Francisco Ry Co., Plff in Error, vs. Edward Lee.

And

No. 163. The St. Louis & San Francisco Ry Co., Plff in Error, vs. William Ryan.

On motion of Mr. R. C. Garland, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandates in these cases.

152. The Northern Pacific Rail road Company vs. Jeff in Error, N. N. Nickels. } Writ of Error to the United States Circuit Court of Appeals for the Eighth Circuit.

Stipulation of counsel for the respective parties to dismiss this writ of error having been filed, therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Chief Justice Fuller.

153. Thomas John C. Hale, Maine Burtine et al., vs. The Enam Ditch Company. } Appeal from the Supreme Court of the State of Washington.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record,

It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

45. The United States, Appt. vs. The State of New York.
136. The State of New York, Appt. vs. The United States.

The argument of these causes was continued by Mr. Assistant Attorney General Hilton, of counsel for the United States, and concluded by Mr. David D. Hall, of counsel for the State of New York.

53. The Baltimore & Ohio R. R. Co. vs. Rifkin & Sexton. Emma Hatfield

This cause was argued by Mr. John K. Cowen, of counsel for the plaintiff in error, and Mr. Samuel M. Nance, of counsel for the defendant in error.

60. The Farmers' Loan & Trust Co., vs. The Chicago, Portage & Superior Railway Co. et al.

On motion of Mr. Thomas Ewing, of counsel for the appellant, it is ordered by the Court that counsel on each side be allowed one hour additional time for the argument of this cause.

60. The Farmers' Loan & Trust Co., vs. The Chicago, Portage & Superior Railway Co. et al.

The argument of this cause was commenced by Mr. Milton J. Southard, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court [illegible]

On motion first made to the Court in this behalf by Mr. Attorney General Olney it is ordered that William R. Wilkes, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Morton Jourdan, Esquire, of Jefferson City, and Samuel B. Turner, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were accordingly

On motion [illegible]

Monday, October 21st, 1895. Continued.

On motion first made to the Court in this behalf by Mr. William M. Stewart it is ordered that George Hebard Maxwell, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob K. Mannon it is ordered that Robert H. Stewart, Esquire, of Pierre, State of South Dakota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. King it is ordered that Edwin M. Spalding, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Winfield S. Strawn, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Charles H. Conrad, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the case of Jay Du E Workman it is ordered that Cornelius J. Jones Esquire of Greenville State of Mississippi be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

Charles E. Simmons Trustee, John F. Dillon, Theodore M. Davis and Henry Keens, Appellants

vs.

No. 11. The Burlington, Cedar Rapids & Northern Railway Co., et al.

Appeals from the Circuit Court of the United States for the Northern District of Iowa.

The Burlington, Cedar Rapids & Northern Railway Co., Appellant,

vs.

No. 12. Charles E. Simmons, Trustee

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, on appeal and cross-appeal, and was argued by Counsel On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause made be reversed and the appellants cross-bill be and the same is hereby, reversed, the costs in the Circuit Court and in this Court to be paid by the appellants in No. 11, Charles E. Simmons, Trustee &c. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in accordance with the opinion of this Court. Per Mr Justice Clifford

Monday, October 21st, 1895. [illegible]

97. The D. & A. Richmond Nevvine Company vs. Samuel A. Richmond

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Brown

96. James Gilfillan, John A. Rollings, and Annie M. Eastman, Admx of Charles D. Maxwell, deceased, vs. Minny E. McKee et al

Appeals from the Supreme Court of the District of Columbia

116. John D. McPherson, Executor of John J. Cochrane, deceased, vs. Minny E. McKee et al

Appellant,

This cause came on to be heard on the transcript of the record from the Supreme Court of the

bia for Columbia, on separate appeals, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court. It is further ordered that the costs in these cases be paid by the appellants, by Chauncey F. Black and Robert Lemon Administrator, and by Charlotte L. Latrobe, Executrix, in the proportion in which the defendants Ellen Adriance the said Black and Lemon and the said Latrobe are severally adjudged to contribute in the final decree.

Per Mr. Justice Brown.

33. Henry E. McKee, Appellant, vs. Robert Lemon Administrator of Hiram A. Lemon deceased, Robert Lemon, Administrator of Hiram A. Lemon deceased & Chauncey F. Black. Appeals from the Supreme Court of the District of Columbia.

34. [illegible] vs. [illegible]

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed, each appellant to pay one-half of the costs in this cause, and the cause be, and the same

is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Brown.

85. Nancy E. McKee, Appellant, vs. Charlotte H. Latrobe, Executrix of John H. B. Latrobe, deceased. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the District of Columbia.

Per Mr. Justice Brown.

90. The Sioux City & St. Paul Railroad Company and Alexander M. Dake and William P. Jewett, Trustees, Appellants, vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa

argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this Cause be, and the same is hereby affirmed.

Per Mr. Justice Harlan.

No. 1. The Chicago, Milwaukee & St. Paul Railway Company, Appellant, vs. The United States, The Sioux City & St. Paul Railroad Company, Elias P. Dodge et al. Trustees &c. Appeal from the Circuit Court of the United States for the Northern District of Iowa.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this Cause be, and the same is hereby affirmed.

Per Mr. Justice Harlan.

No. 30. The Sioux City & St. Paul Railroad Company, Plff in Error, vs. Lewis Countryman, Adam Phillips, Elijah Reed & Wm. Washington Rogers. In Error to the Supreme Court of the State of Iowa.

This Cause came on to be heard on the transcript of

Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

37. Robert McCormick, Plff in Error, vs. J. D. Hayes. In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Harlan.

18. William A. Sweet and Maria N. Sweet his wife, Frank G. Tillman and Peleg A. Tillman, Plffs in Error, vs. Christian Reisert. In Error to the Circuit Court of the United States for the District of Illinois.

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Harlan.

634. Moore Marshall, Appellant, v. Island Belle Mining Company. On motion to recall the supersedeas herein and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

635. William Law et al., Appellants, v. The Steamship "Brave" her engines &c., The North German Lloyd, Claimant. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby

Per Mr. Chief Justice Fuller.

Josephine H. Huppemann,
vs. Appellant
The Steamship "Lord Brines",
her engines &c., Ernest Legge,
Claimant.

Petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit &c.

Reconsideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Charles Davis,
vs. Plff in Error
The Elmira Savings Bank.

Reconsideration of the motion to fix a day for the re-argument of this cause. It is ordered by the Court that this cause be, and the same is hereby, assigned for re-argument on the first Monday of January next after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Stephen M. Folsom,
vs. Plff in Error
The United States.

Reconsideration of the motion for leave to argue this cause orally. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for

argument on the third Monday of November next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

John Ansbro,
vs.
The United States.

On consideration of the motion to reassign this cause for argument, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday in November next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

573. Warren F. Putnam, Plff in Err, vs. The United States.
574. Warren F. Putnam, Plff in Err, vs. The United States.

On consideration of the motion to reassign these cases for argument, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the first Monday in November next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The Louisville & Nashville Railroad Company,
vs.
The Commonwealth of Kentucky,
792. Plff in Error,

On consideration of the motion to advance this cause, It is now here ordered by the Court that said

Monday, October [illegible]

motion be, and the same is hereby, granted, and the case assigned for argument on the first Monday of January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

The Barber Asphalt Paving Company, Appellant,
vs.
The City of Harrisburg. } In Error.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon heard as well in support thereof as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of Pittsburgh Fork and Tool Company et al., Petitioners.

On consideration of the motion for leave to file petition for a writ of mandamus herein, it is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

E. Dale: In the matter of Redlands Fruit Co. Company et al., Petitioners. In consideration of the petition of the Redlands Fruit and Fuel Company et al

It is now here ordered by the Court that cause be shown by the Honorable William A. Woods Judge of the Circuit Court of the United States for the District of Indiana, sitting in this Court at Washington on Monday the 25th day of November 1895 at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

(per Mr. Chief Justice Fuller.)

559 The Central Pacific Railroad Co. Plff in Error, vs. The People of the State of California. And

The Southern Pacific Railroad Co. Plff in Error, vs. The People of the State of California. In consideration of the motions to advance these cases it is now ordered by the Court that said motions be, and the same are hereby, granted and the cases assigned for argument on the first Monday of January next, after the cases heretofore assigned for that day.

(per Mr. Chief Justice Fuller.)

David S. Stanley et al., Plff in Error, vs. Mary M. Schwalbach et al. In consideration of the motion to advance this cause it is now here

Monday October 21st 1895, Continued

dered by the Court that said motion be, and
e same is hereby granted, and the Cause as-
igned for argument on the first Monday of
anuary next, after the cases heretofore assigned
n that day

Per Mr. Chief Justice Fuller

John Pierce Plff in Error vs. The United S
Wm Stevenson Plff in Error vs. The United States.
Eli Lucas Plff in Error vs. The United States.
John Allison Plff in Error, vs. The United States
Frank Carver Plff in Error, vs. The United States

Reconsideration of the motions to
dvance these cases. It is now here ordered by
he Court that said motions be and the same,
re hereby granted, and the cases assigned
r argument on the third Monday in November
ext, after the cases heretofore assigned for that
ay

Per Mr. Chief Justice Fuller

George H. Post,
vs. Plff in Error,
The United States

Reconsideration of the
motion to advance the
cause, It is now here
ordered by the Court,
that said motion be, and the same is hereby
granted and the cause assigned for argu-
ment on the third Monday in January next.

Per Mr. Chief Justice Fuller

The United States ex rel.
Charles D. Long,
vs.
William Graham, Commissioner
of Pensions.

On consideration of the motion to advance this cause, it is now ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the third Monday of January next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The Western Union Telegraph Co.
vs.
Thomas Leggat, Sheriff of Marion
County, Missouri.

On consideration of the motion to advance this cause, it is now ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the first Monday of January next, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The State of Missouri ex rel.
The Keeley Electric Light Co.
vs.
Michael J. Murphy, State
Commissioner &c.

On consideration, of the motion to advance this cause, it is now here ordered by the Court that said motion,

assigned for argument on the first Monday in January next after the cases heretofore assigned for that day.

Per Mr. Chief Justice &c.

668. The Bank of Commerce et al. Plffs in Error vs. The State of Tennessee et al.
669. " " " " " " " vs. The State of Tennessee et al.
670. The Mechanics Savings Bank et al. Plffs in Error vs. The State of Tennessee et al.
671. " " " " " " " vs. The State of Tennessee et al.
672. The Union Savings Bank et al. Plffs in Error vs. The State of Tennessee et al.
673. " " " " " " " vs. The State of Tennessee et al.
674. The Memphis City Bank et al. Plffs in Error vs. The State of Tennessee et al.
675. " " " " " " " vs. The State of Tennessee et al.
676. The Mercantile Bank et al. Plffs in Error vs. The State of Tennessee et al.
677. " " " " " " " vs. The State of Tennessee et al.
678. The Hamilton Fire & Marine Ins. Co. et al. Plffs in Error vs. The State of Tennessee et al.
679. " " " " " " " vs. The State of Tennessee et al.
680. The German Bank et al. Plffs in Error vs. The State of Tennessee et al.
681. " " " " " " " vs. The State of Tennessee et al.
766. The County of Shelby et al. Appts vs. The Union & Planters Bank &c.

On consideration of the motion heard in these causes, it is now here ordered by the Court that said motions be and the same is hereby granted and the cases assigned for argument for one hour each, on the first Monday in January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice &c.

794 George L. Moore, Appellant, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court, that said motion be, and the same is hereby granted, and the cause assigned for argument the third Monday of November next, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

795 The Steamship "Evelution" Wm. Skinner & Company, Claimants, etal. Appellants, vs. The American Sugar Refining Company and The Bergare. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

796 The Clinton Steamboat Co. Limited etal. Appellants, vs. John MacVeigh Jr. etal, Claimants of the Steamship "Victory" &c., Appellees. On petitions for a writ of certiorari to the United States Circuit

Ann Mac Intyre Jr. et al, Claimants of the Steamship "Victor" &c., Appellants, vs. Canton Insurance Co. Limited, etc. Court of Appeals for the Fourth Circuit.

Upon consideration of the petitions for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that said petitions, and the same are hereby, granted.

(Per Mr. Chief Justice Fuller.)

William Tregea, vs. Keyes Gov. etc. Board of Directors of the Modesto Irrigation District. It is ordered by the Court that this cause be, and the same is hereby, assigned for re-argument on the first Monday of January next, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.)

Gilroy Irrigation District et al, Appellants vs. Maria King Bradley et husband. On consideration of the motion to advance this cause,

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned to be heard with cause on the first Monday of January next, after

10

the Cases heretofore assigned for that day.
Per Mr Chief Justice Fuller

776. Erwin Davies, Pl'ff in Error, vs. Angelica Wakelee. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of Counsel thereupon had as well in support of as against the same It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

777. Erwin Davies, Pl'ff in Error, vs. Pierre B. Wakeman et al. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of Counsel thereupon had as well in support of as against the same It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Laura S. Durel et al., vs. Klein Bros., & Pullman Palace Car Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument thereon had, and the same is submitted. It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

California Fig Syrup Company, Appellant, vs. Nile Greetner et al. — On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument thereon had in support of the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

James Murray, alias "Greasy Jim," vs. The State of Louisiana. — On consideration of the motion for leave to prosecute this cause in

forma pauperis and that the transcript be printed at public expense. It is now ordered by the Court that said motion be and the same is hereby granted.

Per Mr. Chief Justice Fuller

William M. Fishback et al., Appellants, v. The Pacific Express Company. Appeal. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral argument, and assigned for the first Monday of January next, after the cases now set for assignment for that day.

Per Mr. Chief Justice Fuller

The State of Indiana, Complainant, v. The State of Kentucky. 2, Original. This cause coming on on the application of the State of Indiana, by its Attorney General and of the State of Kentucky, by its Solicitor Richard A. Cunningham, for the appointment of Commissioners herein, in accordance with the opinion, judgment and decree heretofore filed and entered, and the Court being advised and informed by said parties that they have agreed upon the following named gentlemen to be suggested to this Court for such appointment, viz: Gustavus A. Menzies of Mount Vernon Indiana; Gaston M. Hines of Henderson Kentucky, and Col. Oliver Stedman of the Engineer Corps of the United States Army; and the Court being fully

dered in the premises does appear and
that the above-named Richard M. Meriwether
Nelson M. Miller, and Miles Hickney be and they
are hereby appointed Commissioners to ascer-
tain and run the boundary line between the
said States of Indiana and Kentucky as
designated in the said opinion of this Court
heretofore filed and judgment rendered
thereon at the present Session, and to report to this
Court with all reasonable dispatch their doings
in that behalf. It is further ordered by the
Court that duly certified copies of this order
shall be forthwith issued by the Clerk of this
Court, under his hand and the seal of the Court
to each of the above-named Commissioners, and
before entering upon the discharge of their duties
as such Commissioners they and each of
them shall be and appear before either the
Clerk of this Court or the Clerk of the United
States Circuit Court within and for either
district of Indiana, Kentucky, or Ohio and,
take an oath faithfully to discharge the duties
required of them as such Commissioners,
which oaths shall be forthwith transmitted
to and filed with the Clerk of this Court and in
this cause.

Per Mr. Chief Justice Taney

George E. Whitten,
vs. Appellant,
Charles A. Tomlinson, Sheriff &c.

Mr. Edward H. Rogers,
of Counsel for the Appellee, suggested to

the consideration of the Court a motion to advance this cause. Mr. William H. Baker, of counsel for the appellant submitted an answer to said motion to advance.

John Keane
vs. Appeal from Chy.
Anna Sophia Baggeroer
Executrix, et al.

Re motions to dismiss or affirm in this cause, now submitted to the consideration of the Court on the record and printed arguments by Mr. M. D. Baird, Mr. C. K. Inman and Mr. Louis Henry Legg, in support of the same and Mr. Samuel K. Phillips and Mr. Frederic J. McKinney, in opposition thereto.

The Raven Gold Mining Co.
vs. Appeal from
The Miners' Union of the Town of Altman et al.

On motion of Mr. Frederic J. McKinney, in behalf of counsel for the appellees,
It is ordered by the Court that this cause be, and the same is hereby advanced pursuant to the 31st Rule.

Theodore Lambert
vs. Appeal from
George Barnett et al. Trs.

Mr. Wilson H. Jenkins, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

Monday October 21st. Reps. Continued

William H. Dunham Administrator &c. et al.,
1. vs. Appellants
James S. Jones et al.

W. H. Mallett Phillips in behalf of Counsel, submitted to the Consideration of the Court a stipulation of Counsel to make new parties Herein

Charlotte Ewer
391. vs. Plff in Error
The People of the State of New York

Ordered by the Court that this cause be and the same is hereby dismissed

746. Daniel A. Buckelin Appt. vs. The United States
772. Daniel A. Buckelin, Plff in Error, vs. The United States

These causes were submitted to the Consideration of the Court on the records and printed arguments by Mr. Thomas J. Taylor, of Counsel for the appellant and plaintiff in error, and Mr. Assistant Attorney General Dickinson, of Counsel for the appellee and defendant in error

Dan. A. Swearingen
567. vs. Plff in Error
The United States.

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. J. D. McElroy, of Counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error.

Crawford Goldsby, alias "Cherokee Bill"
vs. Appeal from Gen.
The United States.

This cause was submitted to the consideration of the Court on the record with leave to counsel for the plaintiff in error to file printed brief within ten days and counsel for the defendant in error to file brief ten days thereafter.

632 Charles Meide,
vs. Mfg in Gen.
The People of the Territory of Utah.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Dickinson of counsel for the defendants in error. No brief filed for the plaintiff in error.

60 Merchants Loan & Trust Co.,
vs. Appellant
The Chicago, Portage & Superior Railway Company et al.

Re-argument of this cause was continued by Mr. Milton L. Southard, of counsel for the appellant, and Mr. Thomas Nelson, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock a.m.

Tuesday, October 11th 1892

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened.

On motion duly made to the Court in this behalf by Mr. T. H. Lambert it is ordered that J. Duncan O'Bryan, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Theodore Lambert
M. Campbell Smith
George Bruce Shaffer

No. 1. Original. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the first Monday of November next.

Per Mr. Chief Justice Fuller.

765. Theodore F. Brown, Appellant, vs. John A. Walker et al. Mandamus.

Mr. Assistant Attorney General Dickinson submitted to the consideration of the Court a motion to extend the time

366. Ames Merrett, Plaintiff in Error, vs. Daniel L. McKinney.

This cause was submitted to the consideration of the Court, pursuant to the 3rd rule, on the record and printed arguments by Mr. E. W. McGaw and Mr. Theodore Wagner, of counsel for the plaintiff in error, and Mr. Charles E. Nelson, of counsel for the defendant in error.

479. Clay Peters, Plaintiff in Error, vs. The United States.

In Error to the Supreme Court of the Territory of Oklahoma.

This cause having been called for hearing in due regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

60. The Farmers Loan & Trust Co., Appellant, vs.

Reargument of this cause was

Monday, October 9th, 1855. Continued.

Thomas Wilson, of counsel for the appellees and Mr. Thomas Ewing, of counsel for the appellant, concluded by Mr. Miller of Cincinnati, of counsel for the appellant.

67. A. S. Conley — v. Appellant. The Northern Cheshire Railroad Company.

This cause argued by Mr. N. D. Bird, of counsel for the appellant and submitted on a printed argument by Mr. A. H. Garland and Mr. W. J. Curtis, of counsel for the appellant.

375. The United States, v. Appellant. Benjamin Wesley.

Reargument of this cause was commenced by Mr. Attorney General Bates, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 21st 1896

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin Bullwinkle it is ordered that J. A. Hoke Esquire, of Orangeburg, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Melville J. Allen Esquire, of Glenwood Springs, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Wednesday, October 21st, 1895, Continued.

Mr. J. M. Shepard this day filed the petition of John M. Thurston, Esquire, of Salem, State of California, to be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Flournoy Live Stock & Real Estate Company, Appellant, v. William H. Deer. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed with costs; and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Chief Justice Fuller.

Webber Isaacs, Plaintiff in Error, v. The United States. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error. No brief filed for the plaintiff in error.

375. The United States, Appellant, vs. Benjamin Wells.

Reargument of this cause was continued by Mr. Harvey Spalding, of counsel for the appellee, and concluded by Mr. Assistant Attorney General Dodge, of counsel for the appellant.

3 Original. The United States, Complainant, vs. The State of Texas.

On motion of Mr. Attorney General Harmon, of counsel for the complainant, it is ordered by the Court that three counsel be allowed to argue this cause on each side and that two hours additional time be allowed each side for the reargument.

3 Original. The United States, Complainant, vs. The State of Texas.

Reargument of this cause was commenced by Mr. Attorney General Harmon, of counsel for the complainant, and continued by Mr. George Wiren, of counsel for the defendant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray.
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in the absence of Mr. A. H. Garland it is ordered that Edwin Knapp, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

George L. Wheeler, Plff in Error
vs.
The United States. Deft in Error

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Whitney for counsel for the plaintiff in error. No brief filed for plaintiff in error.

The United States.
2 Original. vs. Complainant,
Wilhelmina Muller.

Reargument of this cause was continued, by Mr. George Clark, of counsel for the defendant, Mr. Solicitor General Conrad, of counsel for the complainant, and Mr. M. M. Crane, of counsel for the defendant.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Monday, October 3rd 1825.

Pursuant to adjournment the Court met this day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field

John M. Harlan

Horace Gray

David J. Brewer

Henry B. Brown

George Shiras Jr.

Edward D. White

John M. Wright Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The United States.
Original. vs. Complainant,
The State of Texas

Reargument of this cause was continued on by Mr. M. M. Crane, of counsel for the defendant, and concluded by Mr. Edgar Allen, of Counsel for the Complainant.

Santiago Vinas Admr, et al,
vs. Appellants.
No. 9. The United States.

Motion of Mr. Scott for leave to withdraw bond heretofore granted for the removal of cargo of the Ship Caroline, was granted.

The argument of this cause was commenced by Mr. Parker, of Counsel for the appellants.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met today at the Capitol.

Present,
The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Associate Justices.
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Barnes M. Miller, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Central Trust Company of New York,
vs. Appellant,
The Richmond, Nicholasville, Irvine & Beattyville Railroad Co.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit,

746.

On consideration of the petition for a writ of

of Appeals for the Sixth Circuit and of the argument of Counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

William M. Dunham, Administrator of Jesse M. Dillon deceased et al, Appellants, vs. James E. Jones et al

On consideration of the stipulation of Counsel to make new parties herein, It is now here ordered by the Court that C. C. Burr and Jacob Bigler, Administrator of James E. Jones, deceased, be, and they are hereby made parties Appellees in this cause.

Per Mr. Chief Justice Fuller

94. John Keane, Plff in Error, vs. Anna Sophia Deggeyer Executrix, et al

On consideration of the motions to dismiss or affirm in this cause, It is now here ordered by the Court that the further consideration of the motions be, and the same is hereby, postponed until the hearing of the case on its merits.

Per Mr. Chief Justice Fuller

614. George E. Whitten, Appellant, vs. Charles A. Dickinson, Sheriff

On consideration of the motions to advance this cause

It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the third Monday of November next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

765. Theodore F. Brown, Appellant, v. John H. Walker, United States Marshal &c.

On consideration of the motion for leave, this cause,

It is now here ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument on the first Monday of March next.

Per Mr. Chief Justice Fuller.

771. Theodore Lambert v. George Barrett, Sheriff &c.

It is ordered by the Court that this cause, be, and the same is hereby, re-assigned for argument on the second Monday in November next.

Per Mr. Chief Justice Fuller.

Charles L. Borgmeyer, Administrator of the estate of Alexander Chalmers, deceased

582. vs. Plff in Error,

William Allen and John H. Hazeltine, Administrators de bonis non of the estate of Jacob Allen, deceased

In Error to the United States Circuit Court of Appeals for the Third Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and on motion to dismiss or affirm, which was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Chief Justice [illegible]

The Chief Justice announced that the Court would adjourn from Friday, November 1st, to Monday, November 11th.

The Hannon Live Stock and Real Estate Company,

514 vs. Appellant,

William H. Beck

On motion of Mr. Solicitor General Conrad, of counsel for the appellee, it is hereby ordered that the Clerk do issue the mandate in this cause.

551. Chin Yuen Ling, Appellant, vs. James D. Kilbreth, Collector. Mr. Solicitor General, Conrad of counsel, for the appellee, submitted to the consideration of the Court a motion to advance this cause.

927. Rob Fulton, Appellant, vs. Hugh Magee, Respondent. Mr. L. D. Farrell, of counsel for the appellant, submitted to the consideration of the Court a motion for leave to prosecute this cause in forma pauperis and that the record be printed at public expense.

613. C. L. Peck et al. Executors &c. Plaintiffs in Error, vs. Elijah Sanford, Executor &c. Defendant in Error. Mr. Franklin A. Mackey of counsel, for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

631. John D. Haines, Appellant, vs. The City of Rock Island. This cause was submitted to the consideration of the Court on under the 32d rule, on the record and printed arguments by Mr. Richard DeGray, Mr. L. D. Rouse and Mr. William Grant, of counsel for the appellant and Mr. Branch K. Miller, of counsel for the appellee.

Mr. Branch K. Miller of counsel for the appellee, opposed the submission of the cause on the ground that the record

637. N. J. Faust, Plff in Error, vs. The United States

Mr. R. C. Garland in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

255. Benjamin A. Forman, Plff in Error, vs. Mrs. Rose Thompson

Mr. William A. Maury in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a suggestion of diminution of the record and a motion for a writ of certiorari herein.

710. Charley Smith, Plff in Error, vs. The State of Mississippi,

and

711. John Gibson, Plff in Error, vs. The State of Mississippi

Mr. E. M. Newell, of counsel for the plaintiffs in error submitted to the consideration of the Court motions for leave to prosecute these cases in forma pauperis.

684. The Detroit Citizens' Street Railway Co., et al., Appellants, vs. The City of Detroit

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on printed arguments by

Mr. C. A. Snow and Mr. Benton Hancock, in support of the motion, and Mr. A. M. Duffield, Mr. Michael Brennan, Mr. John C. Donnelly, Mr. Wesley Ford, Mr. Paul A. Dever, and Mr. James C. Carter, in opposition thereto.

715. The United States, Appellant, vs. The American Bell Telephone Company et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James J. Storrow and Mr. F. P. Fish, in support of the same, and Mr. Clinton Brown and Mr. A. S. Taylor, in opposition thereto.

732. Laurence P. Mills, Appellant, vs. St. Regis Paper Co.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hollon A. Reber and Mr. Edward McCrady, in support of the same, and Mr. Henry N. Ogden, in opposition thereto.

1. William H. Dunham, Admr., &c., Appellant, vs. C. C. Burr et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. S.

Monday, October 25th 1824 Continued

of counsel for the appellants, and Mr. R. S. Garnett, Mr. John A. Ames and Mr. G. D. Wheaton, of counsel for the appellees.

1794. Santiago Pinsa Admr &c, ch'd, Appellants, vs. The United States. The arguments of this cause were continued by Mr. Rochester, Ford of counsel for the appellants and Mr. Solicitor General Conrad, Mr. Matt. L. Reynolds and Mr. F. Parker of counsel for the appellee, and concluded by Mr. Rochester Ford, of counsel for the appellants

146. The United States, vs. Appellant, Jean Theveneau et al. This cause was argued, by Mr. Matt. L. Reynolds and Mr. Solicitor General Conrad, of counsel for the appellant. No counsel appeared for the appellees.

511. A. H. Ballew, vs. Plff in Error, The United States. This cause was argued, by Mr. N. C. Glenn, of Counsel for the Plaintiff in error and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'Clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,

Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. Edward B. Hunter it is ordered that John L. Thomas Esquire of De Soto, State of Mississippi be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

On motion first made to the Court in this behalf by Mr. Francis H. Stephens it is ordered that Eldridge R. Anderson Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

102. The Chicago, Burlington & Quincy Railroad Co., vs. Error to &c.
The City of Chicago.

The Chicago, Burlington & Quincy Railroad Co., vs. Error to &c.
113. The City of Chicago.

On motion of Mr. A. B. Browne, in behalf of Counsel, It is ordered by the Court that these cases be, and they are hereby, advanced to be heard next No. 104, as one case and in the time allowed to one case.

The Chicago & Northwestern Railway Co., vs. Error to &c.
104. The City of Chicago.

On motion of Mr. A. B. Browne, in behalf of Counsel, It is ordered by the Court that this cause be passed, subject to the provisions of Section 4 of Rule 16.

Elverton R. Chapman, vs. Error to &c.
615. The United States.

Mr. A. A. Hocking, of Counsel for the appellant and plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Henry Zino, vs. Error to the Supreme Court
3. H. E. Griffin. of the State of Nevada.

This cause having been called for hearing

regular order and it appearing to the Court, that this cause has abated owing to the death of the plaintiff in error Therefore it is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Lee Roven,
vs.
The United States.

#214. This cause was argued by Mr. William H. Cohen, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

#215. John A. Dingland, Plff in Err, vs. The United States.
#216. John A. Dingland, Plff in Err, vs. The United States.

The argument of these causes was commenced by Mr. Hampton L. Carson of counsel for the plaintiff in error, continued by Mr. Assistant Attorney General Whitney, and Mr. Assistant Attorney General Thomas of counsel for the defendant in error, and concluded by Mr. James M. Beck, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 30th, 1895

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court [illegible]

On motion first made to the Court in this behalf by Mr. C. M. Cooper it is ordered that William A. McLean, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

531. John G. Moore, Appellant, vs. Joseph J. Miller, Commissioner of Internal Revenue. } Appeal from the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the Court by Mr. Samuel Shellabarger of counsel for the appellant and he having moved the Court to dismiss this appeal. Therefore, it is ordered [illegible]

It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

219. Rufus E. Graves. vs. Jeff in Error. The United States.

On motion of Mr. Assistant Attorney General Whitney, It is ordered by the Court, that this cause be and the same is hereby continued until the next term.

156. John N. McBride. vs. Appellant. The Grand Rapids Rail Company et al.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

947. The Minneapolis & St. Paul & Sault Ste Marie Railway Co., vs. Jeff in Error. The Roswell Farmers Mutual Insurance Association.

In Error to the Supreme Court of the State of Minnesota.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause, has been filed, therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

608. Charles Smith, Plff in Error, vs. The United States. Motion of Mr. Assistant Attorney General Whitney, of counsel for the defendant in error. It is ordered by the Court that the cause be, and the same is hereby re-assigned for argument on the third Monday of November next, after the cases heretofore assigned for that day.

517. N. A. Clune et al., Plffs in Error, vs. The United States. This cause was argued by Mr. Robert Christy, of counsel for the plaintiffs in error, and Mr. Attorney General Harmon, of counsel for the defendant in error.

1163. Frank Moore, Plff in Error, vs. The State of Missouri. This cause was argued by Mr. Charles J. Poland, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. R. F. Walker and Mr. Morton Jourdan, of counsel for the defendant in error.

593. Dennis Davis, Plff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

673 Louis F. Streep, Pl. in Err. vs. The United States. Argument of this cause was commenced by Mr. G. B. Lancaster, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock A.M.

Thursday, October 31st, 1895

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney Clerk.

Proclamation being made, the Court was opened

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that E. Burke Holladay Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that Frank P. Kelly, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that L. A. Cole, Esquire, of Washington, District of Columbia, be

admitted to practice as an attorney and counsellor of this Court and directed to act accordingly.

673 Lewis F. Mccoy
vs. Plff in Error
The United States

Reargument of this cause was continued by Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error, and concluded by Mr. C. C. Lancaster of counsel for the plaintiff in error.

388. Wm. L. Hallowell et al., Executors &c.,
vs. Plff in Error,
Joseph Parker,

Reargument of this cause was commenced by Mr. Assistant Attorney General Whitney of counsel for the plaintiffs in error, and continued by Mr. J. P. Dexter of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 15th, 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court [illegible]

No. 586. The People of the State of California, Plff in Error, vs. A. A. Holladay et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. H. Holladay in support of the same, and Mr. William Matthews and Mr. William Craig, in opposition thereto.

No. 588. Rose L. Sutton et al., Executors &c., Plff in Error, vs. Joseph Bentwich

The argument of this cause was continued by Mr. F. P. Tucker and Mr. Edward Hastings of counsel for the defendant in error and [illegible]

cluded by Mr. Assistant Attorney General Whitney, of counsel for the plaintiffs in error.

616. George Goode, vs. The United States. This cause was argued by Mr. Elbridge R. Anderson, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error. Leave was granted counsel for the plaintiff in error to file an additional brief herein on or before the 6th instant.

56. Louis Dejonge, et al., vs. Offs in Error, Daniel Morgan, Collector. This cause was argued by Mr. Albert Comstock, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday the 18th instant, at twelve o'clock.

Monday November 11th 1895

Pursuant to adjournment the Court met today

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire Marshal.
James H. McKenney Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Henry C. Miller, Esquire, of Parkersburg, be admitted to practice as an attorney and counsellor of this Court and he was thereupon admitted accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that A. S. K. Morison, Esquire, of Catlett, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was thereupon admitted accordingly

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that Charles

Buckingham, Esquire, of New York City, was admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. Duvall it is ordered that Lionel Levine, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] it is ordered that Frank M. Estes and Lebbeus A. Wilfley, Esquires of St. Louis, State of Missouri be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Munn it is ordered that S. Vandenburg, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

57. The Washburn & Moen Manufacturing Co. Appellant. v. The Washburn & Moen Manufacturing Co. Appellant.

58. The Washburn & Moen Manufacturing Co. Appellant. v. The Star Wire Fence Company.

Appeals from the Circuit Court of the United States for the Northern District of Illinois.

the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, the costs in this Court to be paid by the appellant in each case.

Per Mr Justice Harlan

The United States, Appellant,
vs. } Appeal from the Court
Juan Chaves et al } of Private Land Claims

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed.

Per Mr Justice Harlan

Edward S. Richards,
3 Oct. T. 1894. vs. } Appeal,
The Kansas Pacific Ry. et al

Edward S. Richards,
311 Oct. T. 1894. vs. } Appeal,
The Michigan Central R.R. et al

Edward S. Richards,
312 Oct. T. 1894. vs. } Appeal,
The Chicago & Grand Trunk Rail-

On consideration of the petition for a rehearing in these cases, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr Justice Harlan

that the order withholding the mandates in these cases be, and the same is hereby, vacated.

per Mr. Justice Brown

The Consolidated Electric Light Company, Appellant, vs. The McKeesport Light Company. No. 545. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed, with costs.

per Mr. Justice Brown

George H. Patton, Charles J. Patton, Plaintiffs in Error, copartners trading as George H. Patton & Company, vs. The United States. No. 609. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

36.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now

Monday November 7th 1870 Continued

judgment of the said Circuit Court in this cause,
e, and the same is hereby affirmed
per Mr. Justice Davis

James D. Miller,
vs.
The United States.
} On certificate from the United States Circuit Court of Appeals for the Fifth Circuit

This cause came on to be heard on a certificate from
e United States Circuit Court of Appeals for the
ifth Circuit and was argued by counsel.
On consideration whereof, It is the opinion of
is Court that the first question certified must
e answered in the negative and the second in
e affirmative
Whereupon it is now here or-
dered by this Court that it be so certified to the
said United States Circuit Court of Appeals
per Mr. Justice Davis

Webber Isaacs,
vs.
The United States.
} In Error to the Circuit Court of the United States for the Western District of Arkansas

This cause came on to be heard on the transcript
of the record from the Circuit Court of the United
States for the Western District of Arkansas, and was
argued by counsel
On consideration whereof,
It is now here ordered and adjudged by this
Court that the judgment of the said Circuit Court
in this cause be, and the same is hereby affirmed
per Mr. Justice Davis

577. George L. Wheeler, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Eastern District of Texas.

No. 577. This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brown.

623. Charles Wade, Plff in Error, vs. The People of the Territory of Utah. In Error to the Supreme Court of the Territory of Utah.

No. 623. This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

31. The Winona & St. Peter Land Company, Plff in Error, vs. The State of Minnesota, Defendant in Error. On Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

35. The Winona & St. Peter Land Company, Plff in Error, vs. The State of Minnesota, Defendant in Error. On Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of prosecution.

Per Mr. Justice Brewer.

The Central Land Company of West Virginia
23 Appeal. vs. Appellee.
John M. Lindsey

It is ordered by the Court that the order withholding the mandate in this cause be, and the same is hereby revoked.

Per Mr. Justice Gray.

John D. Skinner
631. vs. Appellant.
The City of New Orleans

On consideration of the motion of counsel for the appellant for leave to argue this cause orally,

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause is assigned to the docket accordingly.

Per Mr. Chief Justice Fuller.

Bob Dalton
vs. Appellant.
Mark D. Mayes, High Sheriff of the Cherokee Nation.

On consideration of the motion for leave to prosecute this cause in forma pauperis, and that the record be printed at public expense,

It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

Benjamin A. Forman
355. vs. Appellee.
Mr. Rec Wagner et al

On consideration of the suggestion of diminution of the record, and motion for a writ

of Louisiana herein. It is now ordered by the Court that said motion be and the same is hereby granted subject to all objections to the record when returned in obedience to the writ.

Per Mr. Chief Justice Fuller

No. 551. Elias Stacey, Appellant, v. James P. Kilbreth, Collector. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

No. 637. W. J. Faust, Appellant, v. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the first Monday of January next after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

No. 643. E. J. Peck and Leo Simmons, Trustees, Plffs in Error, v. Christian Heinrich. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the

same is hereby, denied.

Per Mr. Chief Justice Fuller.

684. The Detroit Citizens Street Railway Company et al., Appellants, v. The City of Detroit. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of Counsel thereon, and in support of and opposing the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Mr. Justice Brown took no part in the consideration and disposition of this petition.

710. Charley Smith, Plff in Error, v. The State of Mississippi. And

711. John Gibson, Plff in Error, v. The State of Mississippi. On consideration of the motions for leave to prosecute these cases in forma pauperis, It is now here ordered by the Court that said motions be, and the same are hereby, granted. It is further ordered that the records in these cases be printed at the Public expense.

Per Mr. Chief Justice Fuller.

565. Elverton R. Chapman, vs. M. Hall McAllister and Sam. The United States.

On consideration of the motion to advance this cause it is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Waite)

566. The People of the State of California, vs. Ruffin Snow, A. A. Holladay, Georgia C. O. Holladay, Mary H. Mudgett, Executrix of S. L. Mudgett deceased and R. L. Davisson.

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on a motion to dismiss the writ of error heretofore argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Chief Justice Waite)

Hyman Lowenstein and Hermann Lowenstein, Andrew Lowenstein and Louis Lowenstein, Plffs in Error,
No. vs.
Daniel Magone, Collector of the Port of New York

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller

Charles A. Weeks,
111. vs.
Coleman Bridgman

In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Fuller.

745. The United States, Appellant, vs. The American Bell Telephone Company et al. Bristle Petitioners

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

(Mr. Justice Gray took no part in the consideration and disposition of this motion.)

753. The United States, Appellant, vs. Jane L. Stanford Executrix

On motion of Mr. Attorney General Harmon, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the first Monday of January next, after the cases heretofore assigned for that day, and that one hour additional time be allowed counsel on each side for the argument.

770. Charley Smith, Plff in Error, vs. The State of Mississippi

771. John Gibson, Plff in Error, vs. The State of Mississippi

Mr. C. J. Jones, of counsel for the plaintiffs in error, submitted to the consideration of the Court motions to advance these cases

687 John Stevenson, Plff in Err.
v.
The United States

By motion of Mr. Solicitor General Conrad, it is ordered by the Court that this cause be, and the same is hereby reassigned for argument on the first Monday of January next, after the cases heretofore assigned for that day.

617 The Lehigh Mining & Manufacturing Company, Plff in Err.
v.
J. J. Kelly, Jr.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. A. Ayers, Mr. J. F. Bullitt, Jr., and Mr. A. C. Dale, of counsel for the plaintiff in error, and Mr. F. S. Blair and Mr. H. S. K. Mercer, of counsel for the defendants in error.

278 The Bertha Zinc & Mineral Co., Appellant
v.
Elbert Carrico, James A. Walker, M. M. Caldwell, R. L. Kirby, and J. A. Alexander, Sheriff of Wythe County, Virginia

Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause having been called to the attention of the Court by Mr. F. S. Blair, of counsel for the appellant, and he having moved the Court to dismiss this appeal, Therefore, in pursuance of said motion, it is now here ordered, adjudged, and de-

same is hereby, dismissed with costs.
Per Mr. Chief Justice Fuller.

796. The Franklin Sugar Refining Co. Appellant vs. The Steamship Lebon. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Harrington Putnam and Mr. Charles C. Burlingham, in support of the same, and Mr. J. Parker Kirlin, in opposition thereto.

797. The Aetna Life Insurance Co., Plaintiff in Error, vs. Nancy A. Flowers. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Frank M. Estes, in support of the same, and Mr. Lebbeus R. Wilfley, in opposition thereto.

650. Henry Kohl, Appellant vs. Herman Lehlbach, Sheriff. Mr. E. H. Crane, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

370. J. S. Noble et al., vs. Appellees. J. M. Mitchell

The motion to dismiss in this cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. Charles Hutchinson, in support of the same, and Mr. J. M. Chilton and Mr. A. A. Kelly, in opposition thereto.

601. J. N. Lilley et al., vs. Appellees. A. A. Stonehewer

The motions to dismiss or affirm in this cause, were submitted to the Consideration of the Court on the record and printed arguments by Mr. M. A. Hutton and Mr. S. D. Pierce, in support of the same, and Mr. J. C. Campbell in opposition thereto.

702. The State of South Carolina, vs. Appellant, The Port Royal & Augusta Railway Company.

The motion to dismiss in this cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. H. C. Cunningham and Mr. C. J. McSmith in support of the same, and Mr. H. A. Barber and Mr. Alex Gelzer in opposition thereto.

701. Theodore Lambert vs. George Barrett Swords.

This cause was submitted to the consideration of the Court on the

Monday, November 11th, 1895. Continued.

Record and printed arguments by Mr. John L. Semple, of counsel for the appellant, and Mr. Hilson St. Jenkins, of counsel for the appellee.

320. John F. McGlensey, Appellant, vs. James Van Alen. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General, of counsel for the appellant. No counsel appeared for the appellee.

Ex parte: In the matter of George F. Emblen, Petitioner. Mr. Henry M. Hoyt, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

325. Benjamin H. Johnson, Appellant, vs. The United States et al. This cause was argued by Mr. John Wharton Clark, of counsel for the appellant, and Mr. Assistant Attorney General Hoyt, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices.

John M. Wright Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 765. Meador F. Brown, Appellant, vs. John H. Sheldon, Ex'r &c. et al.

It is ordered by the Court that this cause be, and the same is hereby re-assigned for argument on the first Monday of January next after the causes heretofore assigned for that day.

No. 32. Samuel Marks et al., Appellants, vs. The United States et al.

The argument of this cause was commenced by Mr. C. A. Keigwin, of Counsel for the appellants, continued by Mr. Assistant Attorney General Howard, of Counsel for the appellees, and concluded by Mr. A. H. Garland, of Counsel for

Tuesday, November 17th, 1896, Continued

Alvin C. Leighton,
Appellant,
vs.
The United States et al
Appellees.

No. 43.

The argument of this cause commenced by Mr. William D. King, of Counsel for the Appellant.

Proclamation being made the Court is adjourned until Tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Associate Justices

John M. Wright, Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

No. 13. Alvin C. Leighton, Appellant, vs. The United States et al. The argument of this cause was continued by Mr. William B. King, of counsel for the appellant, and Mr. Assistant Attorney General Norris, of counsel for the appellees, and concluded by Mr. William B. King, of counsel for the appellant.

No. 4. The Washington & Idaho R. R. Co., Appellant, vs. The Coeur d'Alene Railway & Navigation Co., et al.

No. 5. The Washington & Idaho R. R. Co., Appellant, vs. A. T. Hillman, Assignee.

The argument of these cases was commenced by Mr. A. A. Hoehling, Jr., of counsel for the appellant

535. The Washington & Italia N. Y. Co. vs. Plaintiffs motion
Iliff in Error
The Council Stone Roadway &
Navigation Co. et al

Proclamation being made the Court is adjourned
until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

The Union Pacific Railway Company,
vs.
Hiff in Error,
Gladys Jones.
103.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit

This cause having been called to the attention of the Court by Mr. John F. Dillon, of Counsel for the Plaintiff in Error and he having moved the Court to dismiss the writ of error herein, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs; And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Colorado. Per Mr. Chief Justice Fuller.

250. The Union Pacific Railway Company, Plff in Error, vs. The Colorado Eastern Railway Company. — In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr John F Dillon of Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error herein, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Colorado.

Per Mr. Chief Justice Waite.

111. The Texas & Pacific Railway Company, Plff in Error, vs. The Rosedale Street Railway Company. — In Error to the Court of Appeals of the State of Texas.

This cause having been called to the attention of the Court by Mr. John F. Dillon, of Counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error herein, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this

in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

11. The Washington & Idaho R. R. Co., Appellant, vs. The Coeur d'Alene Railway & Navigation Co., et al.

5. The Washington & Idaho R. R. Co., Appellant, vs. A. V. Villaver et al.

585. The Washington & Idaho R. R. Co. Plff in Error, vs. The Coeur d'Alene Railway & Navigation Co., et al.

Reargument of these cases was continued by Mr. A. A. Hoehling, Jr., of counsel for the appellant and plaintiff in error, and Mr. N. D. Brone, of counsel for the appellees in No. 4 and defendants in error in No. 585, and concluded by Mr. Samuel Shellabarger, of counsel for the appellant and plaintiff in error.

605. The Little Rock & Memphis Railroad Co., Appellant, vs. The East Tennessee, Virginia & Georgia Railroad Co. et al.

This cause was argued by Mr. John F. Dillon of counsel for the appellee, and submitted on a printed argument by Mr. H. M. Rose and Mr. G. B. Rose, of counsel for the appellant.

Harry C. McCarty et al.,
Appellants,
v.
The Lehigh Valley Railroad Co.

The argument of this cause was commenced by Mr. Jerome Carty, of counsel for the appellants.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Friday, November 8th 1895

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.,
Edward D. White,
} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Michigan Dairy Company and Daniel P. Kelly, Appellants,
vs.
Costello C. Converse, Executor of James M. Converse, deceased.

Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 16th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

Harry C. McCarty et al., Appellants,
v.
The Lehigh Valley Railroad Co.

Reargument of this cause was continued by Mr. Robert J. Fisher, of counsel for the appellee, and concluded by Mr. R. A. Parker, of counsel for the appellants.

66. William Haws et al., Appellants,
v.
The Victoria Copper Mining Company.

Reargument of this cause was commenced by Mr. Frederic D. McKenney, of counsel for the appellants, and continued, by Mr. C. A. Arms and Mr. A. A. Birney, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 18th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that H. N. McIntosh, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. C. Beecher it is ordered that Albert A. Gray, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

56. Louis Dejonge et al. vs. Riff in Error. Daniel Magone, Collector of the Port of New York. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

23. Daniel Magone Collector of the Port of New York, vs. Riff in Error, Peter Niederer and Leonhard Niederer. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate as the amount that [illegible] ments bears in the Courts of the State of

William H. Dunham, Administrator of the estate of George W. Dillon, deceased, Appellant
vs.
C. C. Bruce, Jacob Bigler, Administrators of Dillon & Bruce, deceased, John Dillon, Thomas H. Leavenworth

Appeal from the Circuit Court of the United States for the District of Nebraska

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, it is now ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Peckham.

Henry P. Crowley, Appellant
vs.
The Northern Pacific Railroad Company

Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, it is now ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings

to be had therein in conformity with the opinion of this Court.

Per Mr. Justice [illegible]

502 A. F. McDowell, Plff in Error, vs. The United States. On certificate from the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by Counsel. On consideration whereof it is the opinion of this Court that the first question certified must be answered in the affirmative. Whereupon it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice [illegible]

517 H. N. Ellis, Isaac Ross & Philip Stanwood, Plffs in Error, vs. The United States. In Error to the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Dis-

trict Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

250 George N. Folsom,
Plff in Error
vs.
The Township of Ninety-six
in the County of Aberdeen State
of [illegible]

On a certificate from
the United States Cir-
cuit Court of Appeals
for the Fourth Cir-
cuit

This cause came on to be heard on a certificate
from the United States Circuit Court of Appeals
for the Fourth Circuit and was argued by Coun-
sel. On consideration whereof it is the opinion
of this Court that the first question certified
must be answered in the negative, and the
second and third questions in the affirmative.
Whereupon it is now here ordered by this Court
that it be so certified to the said United States
Circuit Court of Appeals.

Per Mr Justice Swayne

The Rutland Railroad
Company,
Plff in Error,
vs.
51. The Central Vermont Railroad
Company & The Consolidated
Railroad Company of Vermont

In Error to the Chan-
cery Court of Frank-
lin County, State of
Vermont

This cause came on to be heard on the transcript of
the record from the Chancery Court of Franklin
County State of Vermont and was argued by Counsel.
On consideration whereof, It is now here ordered,
and adjudged by this Court that the writ of error
in this cause be and the same is hereby dismissed

for the want of jurisdiction.

Per Mr. Justice Gray.

1172. The Rutland Railroad Company, Plff in Error, vs. The Central Vermont Railroad Company et al. In Error to the Chancery Court of Franklin County, State of Vermont.

This cause came on to be heard on the transcript of the record from the Chancery Court of Franklin County, State of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Gray.

246. Daniel A. Bucklin, Appellant, vs. The United States. Appeal from the District Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Justice Harlan.

Monday, November 5th, 1894. Continued.

Daniel A. Buckley, Appellant, v. Piff in Error, The United States. In Error to the District Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the District of Kansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said District Court with directions to grant a new trial.

Per Mr. Justice Harlan.

The United States, Appellant, v. The Union Pacific Railway Company and The Western Union Telegraph Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause of January 29, 1894, be, and the same is hereby, reversed and set aside, and the decree of the Circuit Court of the United States for the District of Nebraska in this

11, 1892, be and the same is hereby affirmed; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to make a supplemental decree enlarging the period within which the defendants may make such arrangements, adjustments and changes as shall become necessary by reason of the annulling of the contracts of October 1st 1866, September 1st 1869, December 14th 1871, and July 1st, 1881, and to carry out the provisions of the final decree of the [illegible]

Per Mr. Justice [illegible]

Mr. Justice Brewer took no part in the hearing or decision of this case on the present appeal.

The United States
vs. } In Error to the Cir-
The Western Union Telegraph } cuit Court of the
Company and The Union Pacific } United States for
Railway Company } the Southern District
} of New York.

No. 14.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice [illegible]

366. James Stewart
vs. Appellee
Daniel S. McKenzie

In Error to the Supreme Court of the State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field

370. J. A. Noble et al.
vs. Appellee
S. M. Mitchell

On consideration of the motion to dismiss in this cause, and of the argument of Counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be and the same is hereby, denied.

Per Mr. Chief Justice Waite

450. Henry Kohl,
vs. Appellant
Herman Lehlbach & Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby, granted, and the cause assigned for argument on the second Monday of December next.

Per Mr. Chief Justice Waite

No. 14. The State of South Carolina, Appellant, vs. The Port Royal & Augusta Railway Company.

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

It is further ordered that this cause be, and the same is hereby, advanced as under the 33rd rule, to be submitted on printed briefs.

Per Mr. Chief Justice Fuller.

No. 10. Charley Smith, Plff in Error, vs. The State of Mississippi.

And

No. 11. John Gibson, Plff in Error, vs. The State of Mississippi.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on the second Monday of December next after the case heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The Franklin Sugar Refining Company, Appellant, vs. The Steamship "Silvia" Her engines &c., The Red Cross Line, Claimant. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

The Aetna Life Insurance Company, Plff in Err., vs. Nancy L. Flowers. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte. In the matter of George F. Emblen, Petitioner. In consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr Chief Justice Fuller

Ex parte; In the matter of George F. Emblen, Petitioner. In consideration of the petition of George F. Emblen, It is now here ordered by the Court that cause be shown by the Honorable Hoke Smith, Secretary of the Interior, before this Court at Washington, on Wednesday the 11th day of December, 1895 at 12 o'clock Noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

Per Mr Chief Justice Fuller

John F. McGlensey, W. Appellant, vs. James Van Vranken. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the order of the said Circuit Court in this

cause be, and the same is hereby, reversed with costs, on the authority of Johnson v. Sayre, 158 U.S., 109; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the prisoner to custody.

Per M. Chief Justice Fuller.

53. The Baltimore & Ohio Railroad Company, vs. Emma Griffith. } In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

Per M. Chief Justice Fuller.

771. Theodore Lambert, Appellant, vs. George Barrett, Sheriff of the County of Camden in the State of New Jersey. } Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the

the District of New Jersey, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

771. Theodore Lambert, Appellant, vs. George Barrett, Sheriff. It is ordered by the Court that the Clerk issue the mandate in this cause forthwith.

Per Mr. Chief Justice Fuller.

215. The Steamship "Bayonne" &c., et al., Appellants, vs. The United States. The motion to dismiss in this cause and the motion to remand the cause or for a writ of certiorari were submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Whitney, in support of the motion to dismiss and in opposition to the motion to remand or for a writ of certiorari, and by Mr. J. Parker Kirlin, in opposition to the motion to dismiss and in support of the motion to remand or for a writ of certiorari.

770. The Southern Pacific R. R. Co., et al., Appellants, vs. The United States. Mr. Solicitor General Conrad, of counsel for the appellee submitted

to the consideration of the Court a motion to advance

The United States,
794. vs.
Samuel Tucker et al.

Mr. Solicitor General Conrad, of counsel for the plaintiff, in error submitted to the consideration of the Court a motion to advance this cause.

Augustus R. S. Foote et al.,
207 vs.
The Women's Board of Missionaries
and
Mary Jane Brooks, Admr, et al.,
284. vs.
Albert Gorman, Exor, et al.

On motion of Mr. James A. Webb, of counsel for the defendants in error in No. 207, It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument with Case No. 177 as one case.

Mary F. McConnell,
799. vs.
The President Savings Life Assurance Society of New York.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Edwin B. Smith, in support of the same, and Mr. Fully R. Cornick, in opposition thereto.

795. Alexander S. Moore Jr. et al. vs. Jacob Werner et al. } Motion of Mr. Frederic D. McKenney of Counsel for the plaintiffs in error, dismissed by the Court that these causes be and they are hereby dismi-

796. Alexander S. Moore Jr. et al. vs. Hugh Jamieson et al. } Pursuant to the 32d Rule

787. The Atchison Topeka & Santa Fe Railroad Company vs. Patrick Mulligan alias Bilansee } The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit

was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne, Mr. A. F. Dutton and Mr. E. D. Kenna, in support of the same, and Mr. Alphonso Hart, in opposition thereto.

544. William H. Markham vs. The United States. } This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Samuel McKee, of Counsel for the plaintiff in error, and leave was granted Counsel for the defendant in error to file a printed brief on or before Friday next.

602. Charles A. Gregory, Appellant, vs. Mary A. Pike. And Charles A. Gregory, Appellant, vs. Thomas A. Talbot. The motions to dismiss, in these cases were submitted to the consideration of the Court on printed arguments by Mr. Thomas A. Talbot and Mr. John Lowell, in support of the same, and Mr. F. N. Beers, in opposition thereto.

603. J. H. Bull, Appellant, vs. Charles E. Biedenman. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. R. R. Briggs, in support of the same, and Mr. L. A. Norris, in opposition thereto.

76. The New York & New England Railroad Company, Plaintiff in Error, vs. Harriet S. Ramsey, Harriet M. Ramsey, Julia Ramsey & Segue Ramsey. In Error to the Supreme Court of the State of New York.

It appearing to the Court that an authority of Counsel for the Plaintiff in error to dismiss the writ of error herein has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in

66. William Haws et al., Appellants, vs. The Victoria Copper Mining Co. (Appellee.)

Reargument of this cause concluded by Mr. A. A. Birney, of counsel for the appellee.

71. William Webb et al., Heirs at law of Eugenia Rubedeau et al. vs. The United States

This cause was argued by Mr. A. G. Tompkins, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error.

72. Zeph D. Hill vs. John Corcoran

Reargument of this cause was commenced by Mr. W. C. Beecher, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 19th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Edward M. Hollis et al.,
vs.
Kilbourn Gas,
The Citizens' Fuel and Lighting Company.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. B. F. Leighton, in support of the same, and Mr. Edward Carlisle, in opposition thereto.

George Pierce et al.,
vs.
Kilbourn Gas,
The United States.

This cause was submitted to the consideration of the Court on the record by the plaintiffs in error and on the record and a printed argument by Mr.

defendant in error.

Eli Lucas,
vs. } Error to
The United States

692. This cause was submitted to the consideration of the Court on the record by the plaintiff in error and on the record and a printed argument by Mr. Assistant Attorney General Dickinson, of Counsel for the defendant in error.

Zeph T. Hill,
vs. } In Error,
John Corcoran

The argument of this cause was continued by Mr. Frederic D. McKenney, of Counsel, for the defendant in error, and concluded by Mr. H. C. Beecher, of Counsel for the plaintiff in error.

Lewis P. Kelsey et al.,
vs. } Appellants,
H. J. Crowdus et al

74. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. P. L. Williams and Mr. Orlando H. Powers, of Counsel for the appellants, and Mr. Arthur Brown, of Counsel for the appellees.

The United States,
vs. } In Error
William F. Sheppard et al

75. This cause was submitted to the consideration of the Court on the record and

printed argument by Mr. Solicitor General Conrad, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

550 Stephen M. Folsom, Appellant, vs. The United States. This cause was argued by Mr. Charles A. Willard, of counsel for the plaintiff in error and submitted on a printed argument by Mr. Solicitor General Conrad, of counsel for the defendant in error.

555 John Inskeep, Appellant, vs. The United States. This cause was argued by Mr. Albert H. Horsey, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel, for the defendant in error.

608. Charles Smith, Appellant, vs. The United States. This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the defendant in error, and submitted on a printed argument by Mr. H. M. Cravens, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 10th, 1893

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. A. B. Browne it is ordered that Selden P. Spencer, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he thereupon took the oath accordingly.

721. Frank Carver, Plff in Error,
vs.
The United States.

This cause was submitted to the consideration of the Court on the record, and a printed argument by Mr. H. M. Cravens, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a printed brief within one week.

No. 119. George S. Moore, Appellant, v. Asa M. Affin et al. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. M. D. Steerenhaus and Mr. A. McBurney of counsel for the plaintiff in error and Mr. Assistant Attorney General Whitney of counsel for the defendant in error.

No. 75. The Baltimore and Ohio and Chicago Railway Company, Plaintiff in Error, v. Chas. M. Sinn, John Lynde Jr., Administrator of the estate of William Lynde, deceased.

In Error to the Circuit Court of the United States for the District of Indiana.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss the record herein has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

No. 158. John Allison, Appellant, v. Asa M. Affin et al. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. M. Carnes of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney of counsel

Wednesday, November 20th, 1895. Court met.

64. George S. Hilton
vs. Appellant
Charles A. Tomlinson, Sheriff &c.

The cause was argued by Mr. Hilton for the appellant, and Mr. Edward N. Rogers, of counsel for the appellee.

73. Eddy B. Townsend,
vs. Appellant.
Mary C. Townsend, Executrix &c.

The argument of this cause was commenced by Mr. John Goode of counsel for the appellant & continued by Mr. Jacob A. Richlite, of counsel for the appellant and concluded by Mr. Wm. Wirt Rutherford of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

No. 1. John G. Lybarger, Plaintiff in Error, v. The State of Washington. In Error to the Supreme Court of the State of Wash.

This cause having been called for hearing in its regular order, and it appearing to the Court that the plaintiff in error has failed to print the transcript of the record herein in pursuance of the 10th rule of this Court, now here on motion, and argument by counsel, it is ordered by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

79. Ella L. Laing, vs. Thomas S. Rainey. This cause was argued by Mr. J. Hubley Ashton & counsel for the plaintiff in error, and submitted on a printed argument by Mr. Hamilton Hall of counsel for the defendant in error.

80. Jacksonville Mayport Pablo Railway & Navigation Co. vs. Jefferson, Mary J. Hooper et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. J. B. Cooper of counsel for the plaintiff in error, and leave was granted counsel for the defendants to file a printed brief within ten days.

81. Harvey Balding, Jefferson Fire, vs. William T. Coleman,
89. Harvey Balding, Jefferson Fire, vs. Dr. H. Rottenstein.

These cases were argued by Mr. H. Hilloughby, of counsel for the plaintiff in error, & Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error.

83. Frank H. Smith et al., Appellants, vs. Gordon McKay, as Trustee &c. On motion of Mr. H. A. Gay in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, ordered to be heard with case No. 82.

35.	Jabez H. Gill, Appellant, vs. The United States.	Reargument of this cause was commenced by Mr. A. G. Paine, of counsel for the appel-

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, November 22d, 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court adjourned.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that James E. Shepherd, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

John J. Shipman, James L. Barbour and Morris Murphy, Plaintiffs in Error, vs. James H. Hodgenville, Defendant in Error. No. 40. In Error to the Supreme Court of the State of Kentucky.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the tran-

Friday, November 22d, 1878. Continued

of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed, with costs.

Per Mr. Chief Justice Waite.

The City of New Orleans,
vs. In Error
The United States ex rel: William H. Whitney, Administrator of the succession of Myra Clark Gaines, deceased.

To Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called for hearing on the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record herein, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

No. 55. Jabez A. Gill,
vs. Appeal.
The United States.

The argument of this cause was continued by Mr. A. E. Paine, of counsel for the appellant and Mr. Assistant Attorney General Dickinson, of counsel for the appellee, and concluded by Mr. A. E. Paine, of counsel for the appellant.

87. Edgar M. Lee, Plaintiff in Error, vs. The State of Louisiana. This cause was argued by Mr. W. A. Hall, of counsel for the plaintiff in error, and Mr. [illegible] of counsel for the defendant in error.

88. The Board of Police Supervisors for the Port of New Orleans, et al., Appellants, vs. [illegible] Bank of [illegible] et al. Argument in this cause was commenced by Mr. J. R. Beckwith, of counsel for the appellants, &c.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 25th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

George Goode,
W. Riffin Brown
vs.
The United States.

In Error to the District Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

Monday, November [illegible]

Lawrence P. Mills, Appellant
vs.
W. Briggs Hancock

Appeal from the United States Circuit Court of Appeals for the Fourth Circuit

732.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby dismissed, with costs to [illegible] And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of South Carolina.

Per Mr. Justice Gray

J. N. Gillis, John T. Saxon, Administrator of the estate of F. B. Rice, deceased, and J. N. Voss,
vs.
Plaintiffs in Error

In Error to the Supreme Court of the State of California

Wol.

A. A. Moseley [illegible]

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Frank Moore,
vs. } In Error to the Supreme
Griffin Bros. } Court of the State of Mis-
The State of Missouri. } souri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Order.

It is ordered that the following additional rule of practice be, and the same is hereby adopted

39.

Mandates.

Mandates shall issue as of course after the expiration of thirty days from the day the judgment or decree is entered, unless the time is enlarged by order of the Court, or of a Justice thereof, when the Court is not in session, but during the term.

The Southern Pacific R.R. Co. et al,
vs. } On consideration
The United States. } of the motions to
and } advance these cases,
The United States, } It is now here or-
vs. } dered by the Court
Griffin Bros. } that said motions

Monday, November 25th, 1895. Continued

hereby, granted, and the cause assigned for argument on the first Monday of January next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

736 J. H. Bull, vs. Charles C. Dickerman et al. On consideration of the motions to dismiss or affirm herein

Now here ordered by the Court that the further consideration of said motions be and the same is hereby postponed to the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

737 The Atchison, Topeka & Santa Fé Railroad Company, vs. Patrick Mulligan, alias Patrick Reilly. On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

794. Mary F. McConnell, v. The President, Directors & Co. of the Mutual Life Insurance Society of New York. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari, herein, to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

663. Edward M. Willis et al., v. Hoffman Mor. The Eastern Trust & Banking Company. On consideration of the motions to dismiss or affirm in this cause, It is now here ordered by the Court that the further consideration of the said motions be and the same is hereby postponed to the hearing of the cause on the merits.

Per Mr. Chief Justice Fuller.

602. Charles A. Gregory, v. Mary A. Pike. Appeal from the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of

dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction; And that the cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Massachusetts.

Per Mr. Chief Justice Fuller.

603. Charles A. Gregory, Appellant, vs. Thomas H. Talbot. Appeal from the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed for the want of jurisdiction; And that the cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Massachusetts.

Per Mr. Chief Justice Fuller.

Mr. Attorney General Harmon addressed the Court as follows:

It is with more than ordinary

official propriety that I comply with the request of the bar by presenting to the Court their resolutions relating to the late Justice Jackson. He was [illegible] There were his birth place and his home. There his first regular judicial work was done, by which he made the reputation that led to the call from across the Party wall to a seat beside [illegible]

The retiring bar always feel some misgivings - when a man in public life, even though he holds won distinction there, is called to the bench, especially when he has reached middle age. But they soon found that Howell Edmonds Jackson were not so much a Senator who had been appointed Judge as a Judge who had served for a time in Senate. His mind, naturally broad and strong, symmetrically developed, controlled by steady purpose, and directed by industry - which seemed almost wearilessness, would have enabled him to fill with credit any place which carries such qualities. He had so filled the high positions to which the resolutions refer, but he was peculiarly fitted for the duties of a judge. He had in high degree patience to hear and consider, and firmness to decide. He had an even temper, judgment unprejudiced toward men or things, and a logical turn of mind - which naturally shed irrelevance and [illegible] and inclined to [illegible] of fact and correctness of conclusion. He loved justice

the pleasure a strong judge always takes in applying the principles of law to the redress of wrongs; but he knew and loved the system of judicial science too well to wrench or impair it, and unsettle the rights of the great body of the people, in seeking to avoid those occasional hardships against which human law being necessarily general can not provide. So his decisions were of the kind, which build and perfect our jurisprudence, and not a series of mere arbitrary judgments. There are few among them which the legal mind hesitates to adopt among the precedents which keep the law in healthful life and growth.

He was never chargeable with the blunders of a careless man or the vacillations of a weak one, but won respect even when he failed to convince, because he reached his conclusions by the broad highways and not by indirection or evasion.

Some have excelled him in extent of learning and others in mere force of intellect, but few have equalled him in the comprehensive perception and abiding sagacity which result from a harmony of powers. His vigorous, practical understanding was not to be bewildered by details, confused by doubtful or conflicting precedents, nor misled by refinements of reasoning. His decisions always bore the stamp of his own mind and character.

of the Circuit, his health was shaken before he realized it, but he never lost patience or resolution. The vigor he showed as a member of this Court in the number and promptness of his opinions, as well as by their lucid thoroughness, was in spite of the ravages of disease. And one of the most striking instances of the calm heroism of Peace was the resumption of his place when the public interest required him in the Income tax case. However opinion, legal and lay, was and may remain divided on the questions involved in that case, there is, and will be, no divided judgment about the high qualities shown by the opinion of Mr. Justice Jackson, which all beyond would be, and which was, his last. Though the effort required undoubtedly hastened his end no true friend or patriot can feel regret, because it has put on imperishable record an example of devotion to public duty whose worth can not be too highly esteemed.

The feeling of personal bereavement, which prevails to a very unusual extent among those who knew Justice Jackson seems to me to be the highest tribute to his memory. There is no warmth in mere mental power or attainment, nor in the most careful correctness. These may kindle admiration or even, but not the affection which is the best tribute of man to man. I do not mean the mere result of pleasant ways, but the sturdy

"He makes no friends who never made a foe."
He had a kind and considerate nature, but it did not blind him to his duty, nor deter him from it; and he was free from that morbid excess of virtue which makes some good men unjust to their friends.

Reputation and honors did not affect his quiet simplicity, nor add to the unobtrusive dignity which marked his character.

The entire life of Justice Jackson illustrates the efficiency of steadfast devotion to duties which come without self seeking and are met with diligence, earnestness, and sincerity of mind and purpose. His seven years as circuit judge gave him time to accomplish a most honorable career. Few positions put capacity and character to so severe a test as the office of judge of a court of first resort and general jurisdiction. This applies with great fitness to the sixth circuit whose four states, reaching from Lake Superior to the Appalachian Range, like a cross-section of the great Republic, present almost every variety of population, business and laws. Such a judge must admit and exclude evidence, sift, discern, and analyze facts, and apply legal principles generally, all without the advantage of associates, sometimes with slight aid from counsel, and often with little opportunity for study and

final, and are open to complete review; but every act and utterance undergo the impartial and unerring scrutiny of the bar and the people.

The powers of this highest of all tribunals are too great to be committed to any [illegible]. Their exercise is placed beyond the reach and above the need of review by the association of minds which stimulate, aid, and correct each other. Who may fitly join in the deliberations of such a court as those who have stood the highest tests which the profession affords?

Justice Jackson's career as a member of this Court was cut short by his untimely death; but he served long enough to confirm the fitness of his selection and sharpen still further our sense of loss. Whoever shall be called to take that vacant place will find it none the easier to fill because it was last held by Justice Jackson.

The resolutions were as follows:

The Committee appointed at a meeting of the bar of the Supreme Court of the United States, held in the Supreme Court room at the City of Washington, October 14, 1895, in memory of Mr. Justice Jackson, to draft resolutions to be reported at an adjourned meeting, present for consideration the following:

On August 8, 1895, Mr. Justice Howell,

Home, near Nashville, Tennessee.

He was born at Paris, Tennessee, in 1839, obtained his academic [illegible] State graduated at the University of Virginia and took the degree of Bachelor of Laws at the Cumberland University in [illegible]

He practiced law at Jackson and Memphis before the civil war, and at once displayed those qualities which gave promise of the high rank which he subsequently attained in his profession.

He was an earnest believer in the doctrines of the Whig party, was devoted to the Union, and opposed Secession. After his native State passed the ordinance of Secession and was threatened with invasion, he like so many others who would have sacrificed their lives, if by this they could have removed the cause of strife and assured a happy union, adhered, with all the ardor of his nature, to the side his people had chosen in the conflict. He gave up suspended the activities of civil life, and holding an office under the Confederate Government, which, while one of great trust, left him much leisure, he devoted himself throughout the war to the most laborious and systematic study of the law, thus acquiring an accuracy and breadth of legal knowledge which made him so fully equipped for all of the responsible duties which [illegible]

After the close of the civil war he practiced law in Jackson and Memphis, and achieved a

His practice was varied, embracing office work of the most delicate and responsible character, and litigation in all of the State and Federal Courts, and while his services were justly prized as a counsellor and as a Chancery and Supreme Court lawyer, he was no less successful in the services by jury contests, where he achieved great triumphs, not by the graces of oratory, which he never cultivated, nor the meretricious arts of cunning advocacy, which he scorned, but by candor and earnestness which won the confidence of the jury and clear, forcible and logical arguments, which convinced them.

On account of his reputation as a sound lawyer he was called to a seat upon the Court of Referees of Tennessee, which was a provisional Supreme Court created to assist the regular Court to dispose of the vast accumulation of cases occasioned by the Civil war. He served on this Court with great credit until its term expired.

Though never having taken any active part in politics, he consented, on account of his great interest in the question of the settlement of the State debt of Tennessee, to become a candidate on the State Credit ticket for the State Senate.

Following the custom established by immemorial usage in Tennessee, he met his opponent in joint debate and made the canvass with so much ability and persuasiveness as to win

advocated high taxes, the most unwelcome duty that could be championed.

This, though not suspected by him, was the initial point of his national career. A deadlock in the selection of a United States Senator for which position he was not a candidate was suddenly solved by his political opponents who, moved by an estimate of his character, like that which on a later occasion caused the President to nominate him to the Supreme Bench, came to his support as soon as his friends put his name before the legislature; and, cooperating with a majority of the [illegible] Party, elected him on the first ballot. The offices of United States Senator, Circuit Judge, and Justice of the Supreme Court all came to him in unbroken succession and without expectation or effort on his part.

His career in these honorable and responsible positions is too well known to need recapitulation.

His performance of the labors of his office, even when the hand of death rested heavily upon him, will always remain a patriotic and inspiring picture in the memory of those who saw his heroic efforts.

He was profoundly religious, and an elder in the Presbyterian Church.

His manner was reserved, but yet no one found him difficult of approach. He was firm and courageous in expressing his

opinions of men and measures, yet free from bitterness and personal invective. He was serious in affairs, but in the company of friends always jovial, enlivening conversation with sprightly humor and pointed anecdote. He felt and maintained the dignity of his office and yet with those amenities which in a judge invest the intercourse between bench and bar with an atmosphere which is as wholesome as it is gracious.

He displayed profound learning, laborious investigation, unfaltering courage, absolute impartiality, and broad Patriotism; therefore be it

Resolved, That the members of the bar of the Supreme Court of the United States, profoundly impressed with the great loss sustained by the profession and the nation in the untimely death of Mr. Justice Jackson, desire to record their esteem for the qualities which distinguished his short career on the Supreme Bench, and which gave such perfect assurance that he was a worthy successor of those distinguished judges who have administered, with such fidelity and ability, the greatest trust ever confided by a nation.

Resolved, That we deeply sympathize with the bereaved family of Mr. Justice Jackson and that a copy of these resolutions be presented to them by the Secretary of this meeting.

to present these resolutions to the Supreme Court in session and request that they be recorded.

The Chief Justice responded

Mr. Justice Jackson took his seat as a member of this Court on the 11th of March, 1893, serving for the remainder of the current term, which closed on the 15th of May; and for through the next term, the month of March, excepted; and heard argument in a few cases at October term, 1894.

Perhaps no greater eulogium can be passed on him than to say that brief as was the period during which he was permitted to be with us, he impressed himself upon his colleagues and the country as possessed of the highest attributes of the judicial officer, and left enduring evidence of judicial dominance on the records of the Court.

There was no eccentricity in his success. He came here with a mind disciplined by years of experience in business and political relations, in an extensive professional practice and in the discharge of judicial duties and stored with knowledge of affairs as well as of books. Knowledge qualifying him to deal with questions promptly and with practical wisdom, rather than knowledge of things remote from use, obscure and doubtful.

mination; quickness in grasp; clearness in thought; facility, simplicity, and directness in expression; all these he had, and they enabled him to find the clew in records however lost in wandering mazes and make it plain for guidance to correct results.

He profoundly realized that the administration of justice is the great end of human society, and that upon the conscientious labors of those to whom that administration is committed the protection of life and liberty and property depends, and so the endeavor to do justice ran like a golden thread through all his work. Added and superior to all other grounds of praise it could well be said of him, as an eminent English judge said of himself, that there was one merit to which he could boldly lay claim - the determination to do what was right, whenever that could be discovered.

Of the cordial relations between Mr. Justice Jackson and his brethren, which his engaging qualities of mind and heart rendered of the closest, I do not care to speak. We part with him with a keen sense of personal bereavement as he takes his place in the goodly company of those who have gone before, though still remaining with us one in the bond of common traditions and common labors.

There is little in the performance of judicial duty to attract popular attention or to win popular applause, but the influence of

faithful service such as his - of labors so abundant - of a life shortened by effort in the public interest, "Cut, like the diamond, with its own dust" - can scarcely be over estimated and sooner or later will receive its meed of recognition.

The pathetic incident at the close of Mr Justice Jackson's career, referred to by the Attorney General, was characteristic of the man. Devotion to duty had marked his course throughout and he found in inspiration the strength to overcome the weakness of the outward man, as, weary and languid, he appeared in his seat for the last time in obedience to the demand of public exigency. The response to the roll call under such circumstances gives complete assurance - though assurance not needed - that when, a few weeks later, he came to the passage of the river, Good, Conscience, to whom in his lifetime he had spoken to meet Him there, lent Him his hand and so helped Him over.

The resolutions and the remarks by which they have been accompanied will be entered on our records, and the Court will now adjourn to Monday next.

Proclamation being made the Court is adjourned until Monday next, at twelve o'clock.

Monday, December 2d, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Horace M. Swayne, Esquire, of Atchison, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. Selye it is ordered that Alonzo C. Raymond, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. C. Garland it is ordered that V. H. Hale, Esquire, of Paris, State of Texas, be admitted to

Practice as an attorney and Counsellor of this Court and he was sworn accordingly.

620. Crawford Goldsby, alias Cherokee Bill, vs. Plff in Error, The United States

In Error to the Circuit Court of the United States for the Western District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. Mr. Justice Peckham

255. The Washington & Idaho Railroad Company, vs. Plff in Error, The Coeur D'Alene Railway & Navigation Company and The Northern Pacific Railroad Company.

In Error to the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is

hereby affirmed with costs; And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the District of Idaho.

Per Mr. Justice Shiras

The Washington & Idaho Railroad Company, Appellant, vs. The Coeur D'Alene Railway & Navigation Company et al.

Appeal from the Supreme Court of the Territory of Idaho

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, And that this cause be and the same is hereby remanded to the Supreme Court of the State of Idaho.

Per Mr. Justice Shiras.

The Washington & Idaho Railroad Company, Appellant, vs. J. T. Williams et al.

Appeal from the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered, ad-

judged, and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of [illegible]

Per Mr. Justice [illegible]

Harry C. McCarty and John F. Dickel, Appellants, v. The Lehigh Valley Railroad Company

Appeal from the Circuit Court of the United States for the Eastern District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brown

623 Louis F. Streep, v. The United States

In Error to the Circuit Court of the United States for the Southern District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration [illegible]

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

(Per Mr. Justice Gray.)

878. The United States, Appellant, v. Benjamin Healey. } Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims, with directions to dismiss the claimant's petition.

(Per Mr. Justice Harlan.)

65. The Little Rock & Memphis Railroad Company, Appellant, v. The East Tennessee, Virginia & Georgia Railroad Company and The St. Louis, Iron Mountain & Southern Railroad Company. } Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

Monday December 21, 1885 Adjourned

argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

915. The Steamship "Bayonne" her Engines &c., John Edward Payne, Claimant, Appellant, vs. The United States. Appeal from the District Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

558. John Ambro, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the South. District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this

the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

550. Stephen M. Folsom, Plff in Error, vs. The United States. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Fuller.

91. Thomas C. Chappell, Petitioner, vs. The United States. Mr. Thomas C. Chappell in propria persona, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari herein.

338. Carrie E. T. Knox, Appellant, vs. Margaret L. Gulick. Appeal from the Court of Appeals of the District of Columbia.

This cause having been called to the attention of the

bank, and he having moved the Court to dismiss the appeal, therefore, in pursuance of said motion, It is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

Per M. Chief Justice Fuller.

Ex parte. In the matter of Simon Lemon, Appellant. No. [illegible]

Mr. Hallen H. Smith, of Counsel for the appellant, submitted to the Consideration of the Court a motion to advance the cause

ation of the Court a motion to advance the cause

The Sioux City & Pacific Railroad Company, Appellant, v. Louis Countryman et al. 30.

On motion of Mr. J. Hubley Ashton, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause

The Southern Pacific Railroad Company et al. Appellants, v. The United States. 770.

On motion of Mr. J. Hubley Ashton, of Counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

No. 713. A. B. Kirkpatrick & Bro., vs. Riffin Error, The Penn Insurance Co., of Brooklyn, N.Y.

The petition for a writ of certiorari, herein, to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. A. M. Jackson and Mr. Heidy Elkins, in support of the same.

No. 1115. Elverton R. Chapman, vs. Act't Riffin Error, The United States.

Mr. R. B. Wilson, in behalf of counsel for the appellant and plaintiff in error, submitted to the consideration of the Court a motion for an order or mandate to the Supreme Court of the District of Columbia and to the Court of Appeals of the said District in the case of The United States against Elverton R. Chapman commanding each of said Courts to stay proceedings in said case until this cause shall have been heard in this Court, or until the further order of this Court.

No. 1101. Russell Sage, substituted for The Hastings & Dakota Railway Co., vs. The St. Paul, Stillwater & Taylors Falls Railway Company.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the

Monday, December 2d, 1895. Continued

lant, and a stipulation of counsel to dismiss this appeal having been filed, Therefore in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Chief Justice Fuller.

(Russell Sage, substituted for The Hastings & Dakota Railway Co.) Appeal from the
1474. v. Appellant, United States Circuit Court of
The Winona & St. Peter Railroad Company and The Winona & St. Peter Land Company. Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. A. B. Stevens, of counsel for the appellant, and a stipulation to dismiss this appeal having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Chief Justice Fuller.

539. Nelson D. Andrews, Pl'ff in Err'r, vs. The United States. Mr. A. B. Browne, in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

774. William Graver, Appellant, vs. Benjamin C. Tracy. Mr. A. B. Browne, in behalf of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

717. The Lyons-Thomas Hardware Company et al., Pl'ffs in Err'r, vs. The Perry Stove Manufacturing Co. et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. V. H. Hale and Mr. A. D. McDonald, in support of the same, and Mr. James L. Dudley, Mr. A. A. Lurland and Mr. R. C. Lurland, in opposition thereto.

342. The Cleveland, Cincinnati, Chicago & St. Louis Railway Co., Pl'ff in Err'r, vs. Mildred F. Brown. This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. John T. Dye, of counsel for the plaintiff in error, and Mr. Samuel F. Hunter, of counsel for the defendant in error. Mr. John T. Dye also submitted a motion to dismiss or affirm.

mitted to the consideration of the Court a motion for leave to argue this case orally.

510. Luther R. Laws et al., Appellants, v. The County of Salem.

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. George A. Sanders and Mr. P. C. Mather, of counsel for the appellants and Mr. Samuel F. Wheeler, of counsel for the appellee.

8, Original. Ex parte: In the matter of The Sanford Fork & Tool Company et al., Petitioners.

This cause was submitted to the consideration of the Court on printed arguments by Mr. A. A. Snow and Mr. George A. Knight, of counsel for the petitioners, and Mr. C. F. McNutt, of counsel for the respondent.

97. The Jersey City & Bergen Railroad Company, v. James E. Morgan.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. Q. Garretson, of counsel for the plaintiff in error, and Mr. Thomas J. Kennedy, of counsel for the defendant in error.

58 The Board of Flour Inspectors for the Port of New Orleans et al, vs Appellants. Booth F. Glover et al

The Court declined to hear further argument in this case.

56 William P. Spalding, vs Appellant. Hiram Woods et al

The argument of this cause was commenced by Mr. J. C. Donnelly, of Counsel for the plaintiff in error, continued by Mr. John A. Goff, of Counsel for the defendant in error, and concluded by Mr. Alonzo C. Raymond, of Counsel for the plaintiff in error.

59 Charles A. Gildersleeve, vs Appellant. The New Orleans Insurance Co

The argument of this cause was commenced by Mr. Thomas Smith, of Counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, December 6th, 1870.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
} Associate Justices

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by M. Joseph K. McCammon it is ordered, that Henry H. Goodrich, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

102. John Pitts, Appellant, vs. The United States. } In Error to the Circuit Court of the United States for the Northern District of [illegible]

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th Rule of this Court, now here ordered and adjudged by this Court that the writ of

ror in this cause be, and the same is hereby dismissed.

Mr. Justice Field

No. 91. Charles N. Gildersleeve, Appellant, vs. The New Haven Wire Co. et al.

Reargument of this cause was continued by Mr. Thomas Smith, of Counsel for the appellant, and Mr. Joseph Lardner, of Counsel for the appellee, and concluded by Mr. Thomas Smith, of Counsel for the appellant.

No. 91. Thomas C. Chappell, Plaintiff in Error, vs. The United States.

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. Thomas C. Chappell, in Propria persona and Mr. Assistant Attorney General Dickinson, of Counsel for the defendant in error.

No. 92. Mattie P. Baltzer, Executrix, et al., Plaintiffs in Error, vs. The State of North Carolina.

and

No. 93. Mattie P. Baltzer, Executrix, et al., Plaintiffs in Error, vs. The State of North Carolina.

It is ordered by the Court that these cases be, and they are hereby assigned for argument on Monday, the 27th day of January next at the head of the call for that day.

Edward B. Bartlett et al.,
vs. Pltfs in Error
William Lockwood & Emory
H. M'Clintock

Mr. Henry H. Goodrich, of Counsel for the plaintiffs in error, suggested the death of Edward B. Bartlett one of the plaintiffs in error herein, and moved the Court to make Maria A. N. Bartlett Executrix of the said Edward B. Bartlett, a party plaintiff in error. Whereupon, It is now hereordered by the Court that the said Maria A. N. Bartlett Executrix of Edward B. Bartlett, deceased, &c, and she is hereby, made a party plaintiff in error in this cause.

Maria A. N. Bartlett,
Executrix &c., et al.,
vs. Pltfs in Error,
William Lockwood and
Emory H. M'Clintock

Mr. C. H. Bangs, of Counsel for the defendants in error, suggested the death of William Lockwood, one of the defendants in error herein, and moved the Court that the cause proceed in the name of Emory H. M'Clintock as surviving partner of said William Lockwood. Whereupon, It is now here ordered by the Court that this cause proceed in the name of the said Emory H. M'Clintock, as surviving partner of William Lockwood, as the party defendant in error.

Maria M. N. Bartlett, Executrix, et al.,
vs. Affs in Error
Thos. H. McClintock, Deft

Argument of this cause was commenced by Wm. Henry H. Goodrich, of Counsel for the Plaintiffs in error, and continued by Wm. G. H. Dodge, of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December 4th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
} Associate Justices

John M. Wright, Esquire, Marshal
James McKenney, Clerk

Proclamation being made the Court was opened

On motion first made to the Court on his behalf by Mr. C. D. Cooke it is ordered that John [illegible] Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. L. A. Rogers it is ordered that William C. Hall, Esquire, of Salt Lake City, Territory of Utah, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas C. Chappell, Pl. in Error
vs.
The United States

On motion of Mr. [illegible] for Thomas C. Chappell, leave is granted him by granted him to file

Term within [illegible] days.

1090 James Allen
vs.
Frank J. Cannon

Appeal from the Supreme Court of the Territory of [illegible]

This cause having been called for hearing and the order and it appearing to the Court that the parties have failed to print the transcript of the record, & it therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

Per Mr Justice Field

95. Maria A. N. Bartlett Executrix, et al,
vs.
Emory A. McClintock, Receiver [illegible]

The argument of this cause was continued by Mr. C. H. Bangs of counsel for the defendants in error and concluded by Mr. Henry H. Goodrich, of counsel for the plaintiffs in error.

94. John Keane
vs.
Anastasia Brygger, Executrix, et al.

Reargument of this cause commenced by Mr. J. K. Redington, of counsel for the plaintiff in error [illegible] Penner, of counsel for the defendants in error.

Thursday, December 7th, 1865

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
} Associate Justices

John M. Wright Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court proceeded

On motion first made to the Court in this behalf by Mr. John P. Richards it is ordered that Clarence A. Knight, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

6145. Elverton R. Chapman, Plaintiff in Error
v. Appeal from the Court of Claims
The United States.

On motion of Mr. Solicitor General Conrad, leave is hereby granted Counsel for the appellee and defendant in error to file a brief in opposition to the motion submitted herein on Monday the 11th inst.

John Keane
vs.
Anna Sophia Duggan,
Executrix &c.

The argument of this cause was continued by Mr. Charles K. Jenner of counsel for the defendants in error, and concluded by Mr. Samuel T. Phillips, of counsel for the plaintiff in error.

Wm. Wallace Kerby
vs.
Maria E. Williamson

The argument of this cause was commenced by Mr. Westel Willoughby, of counsel for the appellant and continued by Mr. John G. Fee, of counsel for the appellee and concluded by Mr. John T. Morgan, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday, December 6th 1875

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
} Associate Justices

John M. Wright, Esquire, Marshal
Jesse C. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James M. D. Burke it is ordered that Joseph Thompson McCullough, Esquire of New Philadelphia, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was duly sworn accordingly.

Elverton R. Chapman, Appt't/Plff in Err.
vs.
The United States

On motion of Mr. N. A. Stockbridge Jr. in behalf of counsel for the appellant and plaintiff in error leave is hereby granted counsel for the appellant and plaintiff in error to file additional briefs on the motion submitted herein on the 2d instant, written briefs to be

6145.

Peter Dougherty,
vs. Error to
The Nevada Bank of
San Francisco.

This cause was argued by Mr. James L. Maguire, of counsel for the defendant in error, and submitted on a printed argument by Mr. J. C. Bates, of counsel for the plaintiff in error.

The Interior Construction and Improvement Co.,
vs. Error to
John C. Gibney et al.

This cause was argued by Mr. J. C. Donnelly, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

The Prairie State National Bank of Chicago, Ills.,
vs. Appellant.
The United States.
And
The United States,
vs. Appellant.
Charles A. Hale et al.

The argument of these causes was commenced by Mr. Howard Henderson, of counsel for the appellant in No. 100, continued by Mr. George A. King, of counsel for the appellees in No. 115, and concluded by Mr. A. B. Browne of counsel for the appellants in No. 100, and the cases were submitted on the record and a printed argument by Mr. Assistant Attorney General Dodge, of counsel for the United States.

The Great Western Telegraph Co.
for the use of Elias A. Lowrie,
Receiver,

vs.

Hiram Purdy.

Plaintiff in error.

The argument of
this cause was
commenced by
Mr. Thomas J.
Sutherland, of
Counsel for the

Proclamation being made, the Court is adjourned
until Monday next at twelve o'clock.

Monday December 7th 1863.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field

Noah H. Swayne

Samuel F. Miller

David Davis

Stephen J. Field

John M. Wright, Esquire, Marshal

James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Wm. Rogers Mills it is ordered that Charles Edward Lippitt, Esquire, of Texarkana, State of Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. M. White it is ordered that H. C. Austin, Esquire of Sacramento City, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dixie it is ordered that C. C. Clements, Esquire, of Washington, District of Columbia be admitted

Monday December [illegible]

Court and Seven Justices present

On motion first made to the Court in this behalf by Mr. J. C. Manahan it is ordered that J. C. Jackson Esquire, of Chicago State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

Bamberger Bloom & Company
vs.
H. H. Schoolfield and A. S. Miller, surviving partners of Schoolfield, Hanauer & Company

In Error to the Circuit Court of the United States for the Northern District of Ala-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

The Prairie State National Bank of Chicago, Illinois,

vs.

The United States

In Error to

It is ordered by the Court that these causes be and they are hereby ordered

The United States
vs. Appellant
Charles A. Allen et al.

165. argument in due course, but they will be taken on submission on printed briefs at any time during the term after the briefs are filed, if counsel shall be so entitled.

Per M. Justice.

Peter Dougherty
vs.
The Nevada Bank of San Francisco

98. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per M. Justice Field.

Arthur D. Andrews,
vs. Appeal from
The United States

392 On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of January next, after the cases heretofore assigned for that day.

Mr. Chief

Monday December 9th 1895

The Lyons-Thomas Hardware Company, The Fireman's Merchants' Bank, The Erie Exchange Bank et al.

vs. } Writ of Error.

The Penn Stove Manufacturing Company, Shoveling Valley Bank, Merchant & Co.

By Leave to the Supreme Court of the State of Illinois

777

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice [illegible]

The Cleveland, Cincinnati, Chicago & St. Louis Railway Co.

vs. } Writ of Error.

Willard [illegible]

On Consideration of the motion for leave to argue this cause orally, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice [illegible]

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763 A. B. Nathaniel & Brother, Plff in Error, vs. The Home Insurance Company of Brooklyn, Def't in Error. } On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon, and the record in the cause, It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

779 William Seaver, vs. Benjamin C. Stevens. } On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause advanced as under the 32d Rule to be submitted on printed briefs.

Per Mr. Chief Justice Fuller.

783 Jose L. Sallonstall et al., Executors &c., Plff in Error, vs. Joseph Birkbeck. } It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument before a full Court.

Per Mr. Chief Justice Fuller.

Monday, December 9th, 1850. Ordered

The Board of Flour Inspectors for the Port of New Orleans et al., vs. Booth, F. Glover and Frederick J. Odendahl Composing the Firm of Glover & Odendahl, &c. Appellants

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause coming on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the appeal in this cause be, and the same is hereby, dismissed, without costs to either party.

Per Mr. Chief Justice

760. The United States, Plff in Error, vs. Martin P. McMahon
761. Martin P. McMahon, Plff in Error, vs. The United States

Mr. Solicitor General Conrad submitted to the consideration of the Court a motion to advance these cases

814. The United States, vs. James Hayden, Appellant,

The petition for a writ of Certiorari herein, to the United States, Circuit Court of Appeals for the Second Circuit having been submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Conrad, in support of the same, and Mr. Charles Evans

H. Wickham Smith and M. David Doyle Macrae, in opposition thereto.

No. Jose Albino Baca, Robert A. Longwell et al vs. The United States et al } Appellants. } M. Solicitor General Conrad, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"Court of Private Land Claims. United States of America, Territory of New Mexico. } ss.

I James A. Reeder, Clerk of the Court of Private Land Claims, do hereby certify that in a certain cause pending in said Court, the same being consolidated Causes No. 45 and No. 46 on the docket of said Court, wherein Jose Albino Baca, Robert A. Longwell, Tomas C. de Baca, Antonio Mares, Nicolas de la O, Emilio de la O, Amado C. de Baca, Andres C. de Baca, Marcos C. de Baca, Silvado C. de Baca, Trinidad Delgado and Robert W. Willison were complainants, and United States of America, Joel Parker Whitney, Jose Juan Lucero, Luciano Lucero, Juan Cristobal Lucero, Jose de Jesus Lucero, Juan Teodoro Lucero, Jose Dolores Lucero, Bernard J. Reilly, Henry Harris, Manuel Hurtado, and Jose Antonio Ortiego were defendants, a final decree was rendered by said Court of Private Land Claims on the 29th day of September, 1894,

the said Complainants and that on the 26th day of March, 1895 said Complainants prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Court of Private Land Claims, at Santa Fe, New Mexico, this 11th day of November, 1895.

(Seal)

James H. Reeder,
Clerk U.S.P.L.C.
By Irene L. Chaves
Deputy Clerk U.S.P.L.C.

Moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Court of Private Land Claims be, and the same is hereby docketed and dismissed and that this cause be, and the same is hereby remanded to the said Court of Private Land Claims to be proceeded in according to law and justice.

Per M. Chief Justice Fuller

George N. Fletcher and
Robert A. Longwell,
vs. Appellants,
The United States of
Am. Appellee.

Wm. Solicitor General,
Counsel of record,
for the appellee, having filed in open Court the following

Certificate, to wit:

"Court of Private Land Claims.
United States of America,
Territory of New Mexico.

I, James A. Reeder, Clerk of the Court of Private Land Claims, do hereby certify that in a cause pending in said Court the same being cause No. 41 on the docket of said Court, wherein George N. Fletcher and Robert A. Longwell were complainants, and the United States of America, Joel Parker Whitney, Jose Juan Lucero, Luciano Lucero, Juan Cristoval Lucero, Jose de Jesus Lucero, Juan Teodoro Lucero, Jose Felix Lucero, Bernard A. Rodey, Henry Harris, Manuel Hurtado and Jose Antonio Lucero were defendants, a final decree was rendered by said Court of Private Land Claims on the 27th day of September, 1894, in favor of the said defendants, and against the said Complainants, and that on the 26th day of March, 1895, said Complainants prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Court of Private

Land Claims at Santa Fe New Mexico, this 11th day of November, 1895.

James H. Reeder,
Clerk C.P.L.C.
By Ireneo L. Chaves,
Deputy Clerk C.P.L.C.

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now therefore ordered adjudged, and decreed by this Court that this appeal from the Court of Private Land Claims be, and the same is hereby, docketed, and dismissed; And that this cause be and the same is hereby, remanded to the said Court of Private Land Claims to be proceeded in according to law and justice.

Per Curiam. Chief Justice Fuller.

582. Charles L. Borgmeyer, Administrator &c., Plff in Error, vs. William Allen et al

Mr. Edward N. Neil, of Counsel for the defendants in error, submitted to the Consideration of the Court a motion for an order granting the Clerk leave to issue the mandate in this cause.

The Northern Pacific Railroad Company,
Appellant,
v.
Hugh Charles.

Mr. Reese H. Voorhees, of Counsel for the defendant in error, suggested the death of Hugh Charles, the defendant in error herein, and moved the Court to order R. J. Dawson, Administrator of the said Hugh Charles, the Party defendant in error in this cause. Whereupon it is now here ordered by the Court that the said R. J. Dawson, Administrator of Hugh Charles, deceased, &c, and he is hereby made the Party defendant in error in this cause.

181.

The Virginia Carolina Railway Company,
Appellant,
v.
Jeff in Sisk.

The motion to modify or amend the judgment of this Court in this cause was submitted to the consideration of the Court on printed arguments by Mr. R. T. McNeal, in support of the same, and Mr. John M. Thurston, in opposition thereto.

103.

The Kildare Lumber Co.,
Appellant,
v.
The National Bank of Commerce of Kansas City.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration

730.

Todd and Mr. M. J. Crawford, in support of the same, and Mr. Elijah Robinson, in opposition.

180. The Seneca Nation of Indians, vs. Harrison B. Christy. The motions to dismiss the appeal in this cause were submitted to the consideration of the Court on the record and printed arguments of Mr. Morris Morey, in support of the same, and Mr. James Shinn, in opposition thereto.

697. The Missouri Pacific Railway Company, vs. Mary Fitzgerald, Administratrix, etc. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. J. M. Woolworth in support of the same, and Mr. John F. Dillon, Mr. H. L. Pierce and Mr. R. C. Huggins, in opposition thereto.

105. The Great Western Telegraph Company for the use of Elias R. Bowen, Receiver, vs. Hiram Burley. The argument of this cause was continued by Mr. Thomas J. Sutherland, of counsel for the plaintiff, and Mr. A. L. Glasgow, of counsel for the

defendant in error, and concluded by Mr. Thomas [illegible] of counsel for the plaintiff in error.

The Northern Pacific Railroad Company, plaintiff in error, vs. [illegible] Severson, defendant in error.

Argument of Mr. Clarence Cole, commenced by Mr. A. R. Bennett, of Counsel for the

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday Morning

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
John M. Wright Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Wm. Frank W. Beckett it is ordered that John J. Rutle Esquire, of the State of be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

821. The Southern Pacific Railroad Company, Appellant, vs. John L. Tilley and Mrs. M. J. Tilley.

Wm. H. McGlashan of Counsel for the appellee moving the filed in open Court the following certificate, to wit

"Circuit Court of the United States for the Southern District of California.

I Wm. M. Van Dyke Clerk of the Circuit Court of the United States for the Southern District of

California do hereby certify that in a certain cause pending in said Court wherein The Southern Pacific Railroad Company was complainant, and John L. Tilley and Mrs. M. J. Tilley, were defendants, a final decree was rendered by said Circuit Court on the 17th day of March, A.D. 1892, in favor of the said defendants, and against the said complainant; and that on the 5th day of June A.D. 1892, said Complainant filed in said Court its petition for an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Circuit Court, at Los Angeles, California, this 20th day of August, A.D. 1892.

Wm. M. Van Dyke, Clerk.

Mr. Van Dyke moved the Court to docket and dismiss this cause pursuant to the 9th rule, and it appearing to the Court that the appellant has failed to cause the same to be docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed with costs, and that the mandate in the same is hereby remanded to the said Circuit Court to be proceeded in according to law and

Per Mr. Chief Justice Fuller.

The Southern Pacific Railroad Company
vs. Appellant
William B. Hale

Wm. M. Stevenson, Counsel for the appellee having filed in Open Court the following Certificate

"Circuit Court of the United States for the South ern District of California

I, Wm. M. Van Dyke, Clerk of the Circuit Court of the United States for the Southern District of California, do hereby certify that in a certain cause pending in said Court wherein The Southern Pacific Railroad Company was complainant and William B. Hale was defendant a final decree was rendered by said Circuit Court on the 17th day of March, A.D. 1890, in favor of the said defendant, and against the said complainant; and that on the 9th day of June A.D. 1890 said complainant prayed an appeal to the Supreme Court of the United States, which was allowed.

In testimony whereof I have hereunto subscribed my name, and affix the Seal of said Circuit Court at Los Angeles, California, this 20th day of August A.D. 1891.

Wm. M. Van Dyke, Clerk"

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have the cause filed and docketed in conformity with the rules of this Court. It is now here ordered

adjudged, and decreed by this Court that the ... be and the same is hereby reversed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per M. Chief Justice Fuller

The Southern Pacific Railroad Company, Appellant, vs. J. M. Patterson, Thomas R. Minnix and Joseph M. Roberts

Mr. S. M. Stockslager, of Counsel for the appellee having filed an opinion and the following certificate to wit:

"Circuit Court of the United States for the Southern District of California

I, Wm. M. Van Dyke, Clerk of the Circuit Court of the United States for the Southern District of California, do hereby certify that a certain cause pending in said Court wherein The Southern Pacific Railroad Company were complainant and J. M. Patterson, Thos. R. Minnix and Joseph M. Roberts were defendants, a final decree was rendered by said Circuit Court on the 1st day of March, A. D. 1890, in favor of the said defendants, and against the said complainant and that on the ... day of ... A. D. 1890 said complainant prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof I have

Tuesday December 10th 1850. Present

subscribe my name and affix the seal of said Circuit Court at Los Angeles California this 20th day of August A.D. 1850.

Wm. M. Van Dyke Clerk

moved the Court to docket and dismiss this cause pursuant to the 4th rule: and it appearing to the Court that the appellant has failed to cause, file and docket in accordance with the rules of this Court, It is now therefore ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the Southern District of California be and the same is hereby docketed and dismissed with costs; And that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law and justice

Per M. Chief Justice Taney

The Southern Pacific R.R. Co. Appellant
vs.
John L. Riley et al.

On motion of M. S. M. Shoenberger of counsel for the appellant leave is hereby granted the Clerk to issue the mandate in this cause

The Southern Pacific R.R. Co. Appellant
vs.
William D. Saunders

The Southern Pacific R.R. Co. Appellant
vs.
J. M. Patterson et al.

107. The Northern Pacific Railroad Company, vs. Jeffrie in Error, Junius [illegible]

Reargument of this cause was continued by Mr. A. B. Browne, of counsel for the plaintiff in error, and Mr. S. S. Burdett, of counsel for the defendant in error, and concluded by Mr. A. B. Browne, of counsel for the plaintiff in error.

111. The Chicago, St. Paul, Minneapolis & Omaha Railway Co., vs. Jeffrie in Error, Junius [illegible]

112. The Chicago, St. Paul, Minneapolis & Omaha Railway Co., vs. Jeffrie in Error, Junius [illegible]

Reargument of these cases was commenced by Mr. Thomas Wilson, of counsel for the plaintiff in error, and continued by Mr. J. F. Macdonald, of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 11th 1878.

Pursuant to adjournment the Court met this day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice

Stephen J. Field

John M. Harlan

Horace Gray

Henry B. Brown

George Shiras, Jr.

Edward D. White

John M. Knight, Esquire Marshal

James H. McKenney, Clerk

Proclamation being made the Court announced

On motion first made to the Court in this behalf by Mr. N. P. Chipman it is ordered that Robert A. Friedrich, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that Hollington C. Burnett, Esquire, of San Francisco, State of California, and Frank L. Dean, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn

George A. Eddy and A. G. Cross, Receivers &c.,
vs.
Ben A. Lafayette

Wm. A. B. Browne, in behalf of counsel, for the plaintiffs in error, suggested the deaths of George A. Eddy and A. G. Cross, the plaintiffs in error herein, and on his motion, it is ordered by the Court, that this cause be, and the same is hereby, passed.

George A. Eddy and A. G. Cross, Receivers &c.,
vs.
William J. Healey

No. 231. Jeffrin Error.

Ordered by the Court that this cause be, and the same is, hereby, passed for settlement.

The Travelers Insurance Co. of Hartford, Conn.,
vs.
Minnie L. Henderson

No. 234. Appellant,

The petition for a writ of Certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments, by Mr. J. J. Darlington, in support of the same, and Mr. C. F. Burke and Mr. D. D. Lee, in opposition thereto.

Robert N. Williams,
vs.
James B. Williams

No. 128. In Error,

In Error to the Circuit Court of the United States for the District of Kansas.

This cause having been called for hearing in due

Wednesday December 11th

regular order, and it appearing to the Court that the parties have joined in the transcript of the record &c. it is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite

111. The Chicago, St. Paul, Minneapolis & Omaha Railway Co. vs. Jno. Nelson. Error to Minn.

Reargument of this cause commenced by Mr. J. L. Macdonald, of counsel for the defendant in error, and concluded by Mr. Thos. Wilson of counsel for the plaintiff in error.

112. The Chicago, St. Paul, Minneapolis & Omaha Railway Co. vs. Jno. Nelson. Error to Minn.

Reargument of this cause commenced by Mr. Charles E. Flandrau, of counsel for the plaintiff in error.

113. Theodore Hansen, vs. Jno. Nelson. Error to Minn.

Reargument of this cause was continued by Mr. Charles E. Flandrau, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray, } Associate
Henry B. Brown, } Justices
George Shiras, Jr.
Edward D. White

John F. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David B. Hill it is ordered that William L. Frazer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Mannum it is ordered that George F. Daly, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday, December 12th 1850 Continued

125. E. M. Nickell, Plff in Error, vs. James M. Steffey and Michael Nicholas, In Error to the Supreme Court of Appeals of the State of West Virginia

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore in pursuance of the 16th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Taney

113. Theodore Hansen, vs. James E. Boyd et al, The argument of this cause was continued by Mr. Charles E. Hansen, of counsel for the plaintiff in error, and Mr. Ralph Wheaton, of counsel for the defendants in error, and concluded by Mr. Charles E. Hansen of counsel for the plaintiff in error.

120. William Henry, Appellant, vs. The Alabama & Vicksburg Railroad Company, Ordered by the Court that this cause be, and the same is hereby, dis-

George H. Cochran, Appellant,
vs
Samuel Blood Executor &c.

Argument of this cause commenced by Mr. Samuel Medary, of counsel for the appellant and continued by Mr. Leon Sobrino and Mr. A. G. Darrell, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 20th 1889

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White

John M. Knight, Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

Motion first made to the Court this day by Mr. W. B. Henderson in behalf of Clarence E. Carter of Providence, State of Rhode Island, to be admitted to practice as an Attorney and Counsellor of this Court and he was thereupon accordingly

1291 Jane Lynch, Appellant
vs.
Christiana Murphy, Executrix, et al

M. A. S. Worthington, of counsel for the appellees suggested the death of Christiana Murphy one of the appellees in this cause, and moved the Court to make John Henry Murphy sole devisee and Executor of the said Christiana Murphy, a party appellee herein. Whereupon, It is now here ordered

the Court that the said John Henry Murphy, sole devisee and Executor of Christina Murphy, deceased, be, and he is hereby, made a party-defendant in the cause.

No. [illegible]
Ann Aubeen,
vs. Appeal from Minn.
The State of Minn. for use &c.
Charles M. Prescott.

Ordered by the Court that the decree be, and the same is hereby affirmed with costs.

No. 127
The State of Minn. for use &c.
vs. Appeal from Minn.
Charles M. Prescott.

No. 116.
Jorge N. Cochran,
vs. Appeal from Minn.
Lorenzo L. Hoyt [illegible]

Reargument of this cause was ordered by Mr. A. B. Smith, of counsel for the appellee and argued by Mr. A. Worthington, of counsel for the appellant.

No. 119
The Union Pacific Railway Co.,
vs. Appeal from Minn.
Hans O. Nelson.

This cause was argued by Mr. John H. Thurston, of counsel for the plaintiff in error and submitted on a printed argument by Mr. C. S. Thomas, of counsel for the defendant in error.

No. 65 C.
Henry Kohl,
vs. Appeal from Minn.
Herman Lehlbach, Sheriff &c.

This cause was argued by Mr. Arthur English, of counsel for the appellant,

Friday, December 8th, 1893, Continued

Wm. L. H. Evans of counsel for the appellee

711. John Gibson, vs. The State of Mississippi. This cause was argued by Wm. L. M. Howlett, of counsel for the Plaintiff in error, and leave was granted Counsel for defendant in error to file a printed argument within one week

710. Charley Smith vs. The State of Mississippi. The argument of this cause was commenced by Wm. Cornelius J. Jones, of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,

Stephen J. Field

John M. Harlan

Horace Gray

Henry B. Brown

George Shiras, Jr.

Edward D. White

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General it is ordered that W. George R. Bolton, Jr., Esquire of Maryland, State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. M. Stockslager it is ordered that George Hamlin Esquire, of Washington, District of Columbia, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Esquire, of Iowa City, State of Iowa, be admitted to practice as an attorney and Counsellor of Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. C. K. Bell it is ordered that D. Golden George, Esquire, of Stephensville, State of [illegible] be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. J. M. Thurston it is ordered that A. L. Merchant, Esquire, of Omaha, State of Nebraska be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. Frank H. Mackett it is ordered that Homer C. Meeker, Esquire, of Pulaski, State of Arkansas, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. H. J. May it is ordered that E. H. Sellers, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

547. A. H. Ballew, Plff. in Error, vs. The United States. In Error to the Circuit Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter judgment upon the second count of the indictment and for such proceedings with reference to the first count as may be in conformity to law.

Per Mr. Justice White.

73. Eddy B. Townsend, Appellant, vs. Mary E. Vandeveer et al. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause and the same is hereby re-

Monday, December 10th, 1855 [illegible]

manded to the said Supreme Court with directions to overrule the demurrer and for further proceedings in conformity with the opinion of the Court.

Per Mr. Justice [illegible]

619. George E. Whiten, Appellant, vs. Charles A. Tomlinson, Sheriff of New Haven County, Connecticut. Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed, by this Court that the order of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice [illegible]

The Interior Construction and Improvement Company, Plaintiffs in Error, vs. John C. Gibney and Harvey Bartley, Copartners as J. C. Gibney & Company, Defendants in Error. In Error to the Circuit Court of the United States for the District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to sustain the demurrer to the plea and for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Gray.

Ex Parte: In the matter of Hendrick J. Maitland, Petitioner. On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause and of the argument of counsel thereupon had. It is now here ordered by this Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Gray.

William H. Markham, Plff in Error, vs. The United States. In Error to the District Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kentucky, and was

Monday, December 16th, 1850. Continued.

argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Nelson

Dennis Davis,
vs.
The United States.

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

543.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial, and for further proceedings to be had consistent with the opinion of this Court.

Per Mr. Justice Nelson

617. The Lehigh Mining and Manufacturing Company, Plff in Error, vs. J. J. Kelly, Jr., James E. Hubbard, Deny Dep't &c. In Error to the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs.

(Per Mr. Justice Harlan.)

Dissenting:
Mr. Justice Shiras,
Mr. Justice Field and
Mr. Justice Brown.

623. John Allison, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this,

Monday, December 10th, 1894, Continued

that this cause be and the same is hereby remanded to the said Circuit Court, with a direction to set aside the verdict and grant a new trial.

Per Mr. Chief Justice Fuller

The Union Pacific Railway Company, Plff in Error,
vs.
Madwyn Jones.

(25.)

On consideration of the motion to modify, amend or recall the judgment of this Court in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

The Seneca Nation of Indians, Plff in Error,
vs.
Harrison B. Cheetham.

150.

On consideration of the motions to dismiss or affirm in this cause, It is now here ordered by the Court that the further consideration of said motions be, and the same is hereby, postponed until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller

Elverton R. Chapman, Plff in Error,
vs.
The United States.

645.

On consideration of the motion for an order or mandate to the Sup

Court of the District of Columbia, and to the Court of Appeals of the said District in the cause of The United States vs. Everton R. Chapman, Commanding each of said Courts to stay proceedings in said cause until this cause has been heard in this Court or until the further order of this Court. It is now here ordered by the Court that said motion be, and the same is hereby granted.

Per Mr. Chief Justice Fuller.

760. The United States ex rel. Martin F. McMahon, Plff in Err, vs. Martin F. McMahon. On consideration of the motion to advance

It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cases assigned for argument on the second Monday of the next term, or they will be taken on printed briefs, at any time during this term, if counsel shall be so advised.

Per Mr. Chief Justice Fuller.

780. The Kildare Lumber Company, Appellant, vs. The National Bank of Commerce of Kansas City. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the 8th Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court

ment of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

No. 511. The United States, Appellant vs. James Handasyde. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

No. 512. The Travelers Insurance Company of Hartford, Connecticut, Appellant, vs. Fannie L. Henderson. On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

1119. Mary McCullough, Administratrix of Patrick McCullough, deceased, Appellant, vs. The New York, New Haven & Hartford Railroad Company and The New York & Norwalk Steamboat Company.

On certificate from the United States Circuit Court of Appeals for the Second Circuit.

Mr. Mason N. Richardson having been called to the attention of the Court by Mr. Mason N. Richardson, in behalf of counsel for the appellant, and he having moved the Court to dismiss this certificate, Therefore, in pursuance of said motion, It is now here ordered by this Court that this certificate be, and the same is hereby, dismissed.

(Per Mr. Chief Justice Waite.)

The State of Missouri, Complainant, vs. The State of Texas.

On motion of Mr. R. T. Walker, of counsel for the complainant, leave is hereby granted to file the bill of complaint, answer of defendant and replication thereto.

969. The Phoenix Fire & Marine Insurance Co., of Memphis, Tenn., Plffs in Error, vs. The State of Tennessee for the use of the City of Memphis.

Mr. Josiah Patterson, in behalf of counsel, submitted to the consideration of the Court a motion to advance this cause.

876. The Society of Maccabees of Pleasant Hill, Kentucky, et al., Appellants, vs. Mina Anderson et al.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on printed arguments by Mr. H. A. Ledbetter, in support of the same, and Mr. Thomas A. Fitzhugh, in opposition thereto.

967. Count Joseph Pilsener, vs. Affirmation, George H. Clarke

On motion of Mr. J. L. Parker, of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby assigned for argument on the first Monday of March next, after the cases now set for assignment for that day.

906. Almaes Calderon, Appellant, vs. The Atlas Steamship Co., Limited

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. J. Langdon Ward, in support of the same, and Mr. Everett P. Wheeler, in opposition thereto.

A. S. Churchill, Attorney General, et al.,
686 vs. Appellants,
Ozias Bowen et al.

M. A. S. Churchill, of counsel, for the appellants, submitted to the consideration of the Court motion to advance cause.

A. S. Churchill, Attorney General, et al.,
686. vs. Appellants,
George Smith et al.

A. S. Churchill, Attorney General, et al.,
687 Appellants,
Henry L. Higginson.

Receivers Louisville, New Orleans & Texas Ry. Co.,
652 vs. Appellant.
The United States.

Mr. George A. King, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

George A. Eddy, and H. C. Cross,
as Receivers of The Missouri,
Kansas & Texas Railway,
131 vs. In Error,
William J. Hutchinson.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr. A. S. Worrow, in behalf of counsel for the plaintiffs in error, and a stipulation to dismiss the writ of error in this cause having been filed, it is therefore, in pursuance of said stipulation, ordered and adjudged by this Court that the writ of error in this cause be, and the same is, hereby dismissed with costs: and that this cause

Monday, December 10th, 1877 [illegible]

be and the same is hereby, remanded to the United States Court for the Indian Territory.

(per Mr. Chief Justice [illegible])

768. Thomas H. Pearsall, Appellant, vs. The Great Northern Railway Co.

This cause was submitted to the consideration of the Court, pursuant to the 70th rule, on the record and printed arguments by Mr. Henry J. Horn, of counsel for the appellant, Mr. A. H. Childs, for the State of Minnesota, and Mr. M. D. Grover, Mr. C. K. Davis, Mr. F. B. Kellogg, and Mr. C. D. Stevenson of counsel for the appellee.

766. Alexander Lizard et al., Appellants, vs. Hugh Riggs in Error, The Merchants & Miners Transportation Company.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. William Lindsey, Mr. Wylie, in support of the same, and Mr. Jeff. Chandler and Mr. C. L. Stevens, in opposition thereto.

710. Charley Smith, Plaintiff in Error, vs. The State of Wisconsin, Defendant in Error.

The argument of this cause was concluded by Mr. C. J. Jones, of counsel for the plaintiff in error, and leave was granted counsel for the defendant in error to file a printed brief

or before Friday next.

Ex parte In the matter of George F. Simblen, Petitioner. This case was argued by Mr. Henry B. O'Reilly, of counsel for the petitioner, Mr. Assistant Attorney General Whitney, of counsel for the respondent, and Mr. A. M. Stoddard, (by special leave of Court) of counsel for the petitioner.

Martin Hopkins et al, Appellants, vs. William N. Greenshaw et al. The argument of this cause was commenced by Mr. F. N. Mackey, of counsel, for the appellants, and continued by Mr. J. J. Darlington, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday December 7th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan
Horace Gray
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
Ward Hunt
William Strong
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court adjourned.

On motion first made to the Court in this behalf by Mr. Edward D. Cooke it is ordered that Thomas A. Connolly, Esquire, of Springfield, State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he came, and took the oath prescribed by law.

10, Original. The State of Missouri, Complainant,
vs.
The State of Iowa.

On motion of Mr. R. F. Walker, of Counsel for the Complainant, leave is hereby granted to file a stipulation of Counsel as to submission of cause and appointment of Commissioner.

The State of Missouri, } This Cause was
Original. vs. Complainant, } submitted to the
The State of Iowa } Consideration of
the Court on the Pleadings filed by Mr. A. F. Walker, of Counsel for the Complainant, and Mr. Milton Mosley of Counsel for the defendant.

Knut Nelson, } In Error to the Supreme
196. vs. Writ of Error } Court of the State of
The State of Minnesota } Minnesota.

Appearing to the Court that a stipulation of Counsel for the respective parties to dismiss this Cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby dismissed.

Per Mr. Chief Justice Fuller

Charles M. Barrett, } In Error to the Supreme
137. vs. Writ in Error, } Court of the State of
The State of Minnesota } Minnesota.

Happearing to the Court that a stipulation of Counsel for the respective parties to dismiss this Cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this Cause be, and the same is hereby dismissed.

Thursday December 5th 1850 Montgomery

121. Martha Hopkins et al. vs. Appellants, William N. Blanchard et al. Reargument of this cause was, continued by Mr. J. J. Darlington, of Counsel for the appellees, and concluded by Mr N. D. Slaughter, of counsel for the appellants

124. The United States, vs. Appellant, Philip Rottenger, Motion to Reargument of this cause was, commenced by Mr. Assistant Attorney General Dodge, of Counsel for the appellant, and continued by Mr. J. M. Wilcoxen of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday, December 18th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Esq. Clerk.

Proclamation being made the Court is opened.

The Chief Justice announced that the Court would adjourn from Monday, the 23d instant, to Monday, January 6th, 1896.

133. The New Orleans City and Lake Railroad Company, Plff in Error, vs. The City of New Orleans. In Error to the Supreme Court of the State of Louisiana.

This cause having been called to the attention of the Court by Mr. E. D. Whitney, in behalf of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is

Hereby dismissed with costs.
(per Mr. Chief Justice Waite.)

Thomas Ball,
vs. Error,
Julia F. Halsell.

This cause was submitted to the consideration of the Court pursuant to the 20th rule, on the record and printed arguments by Mr. John J. Reed, of counsel for the plaintiff in error, and Mr. Henry C. Cook, of counsel for the defendant in error.

The United States,
vs. Appellant,
Philip Rollinger.

The argument of this cause was continued by Mr. J. M. Harrington, of counsel for the appellee, and concluded by Mr. Assistant Attorney General Dodge, of counsel for the appellant.

The Iowa Central Railway Company,
vs. Error,
The State of Iowa.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Anthony C. Daly, of counsel for the plaintiff in error, and Mr. Millon Remley, of counsel for the defendant in error.

Wednesday, December 8th, 1858 Continued

Jane Lynch,
vs. Appellant,
John Henry Murphy,
Defendant & Appellee

The argument of this Cause was commenced by Mr. William G. Johnson of Counsel for the appellant, and continued by Mr. A. S. Worthington and Mr. Henry E. Davis, of Counsel for the appellee, and Mr. Coleman Yardley, of Counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, December 15th, 1892

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Cuthbert Browne it is ordered that James J. Myers, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

On motion first made to the Court in this behalf by Mr. R. C. Garland it is ordered that W. N. Blount Esquire of Jacksonville, State of Florida be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

On motion first made to the Court in this behalf by Mr. James A. Connolly it is ordered that Albert G. Crawford, Esquire, of Litchfield

of Illinois, Thomas F. Ferns, Esquire, of Jeffersonville State of Illinois, and Samuel V. Hayden, Esquire, of Washington District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were severally

Frank H. Smith et al.
53. v. Appellants.
London McKay, Collector &c.

On motion of Mr. Clinton Browne, of counsel for the appellants

It is ordered by the Court that this cause be argued in the place of case No. 49.

William M. Fishburn et al.,
311. v. Appellants.
The Western Union Telegraph Co.

On motion of Mr. R. T. Garland in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument with case No. 312, and one hour.

T. J. Bryan
198. v. Appellant,
M. H. Niles.
and
T. J. Bryan,
200. v. Appellant,
George L. Barnes et al.

These causes were submitted to the consideration of the Court on the records and printed arguments by Mr. William A. McKenney, of counsel for the appellant, and Mr. R. T. Garland

Thursday, December 17th, 1891 [illegible]

124. June Lynch
vs. Appellant.
John Henry Murphy, sole
Heiress & Executor &c. Dft

Reargument of this
cause was concluded
by Mr. Calderon,
Carlisle, of Counsel,
for the defendant.

132. The Union Mutual Life
Insurance Co.
vs. Plff in Error
Elizabeth Kirkhoff

This cause was
argued by Mr. E.
Fenwick Prentice,
of Counsel for the
plaintiff in error;

and Mr. George R. Daley, of Counsel for the de-
fendant in error

Joshua M. Dunham,
Assignee &c.
vs. Plff in Error
Stephen Girard

This cause was
argued by Mr. Ed-
ward Campbell,
of Counsel for the
plaintiff in error

and Mr. Leon Mellier, of Counsel for the defend-
ant in error

Proclamation being made the Court is adjourned
until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. W. Cutchings, it is ordered that Isaac H. Underwood and George A. Evans, Esquires, of Birmingham, State of Alabama, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. Duane E. Fox it is ordered that Francis J. Kinney, Esquire, of Tucson, Territory of Arizona, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. C. Garland it is ordered that Charles H. [illegible], Esquire, of Ardmore, Indian Territory,

be admitted to practice as an attorney and counsellor of this Court and he accordingly did so.

On motion first made to the Court in this behalf by Mr. S. N. Northway it is ordered that Albert L. Pearson and Theklife C. Mallory, Esquires of Woodfield, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The State of Missouri ex rel:
John S. Lemon, Isaac T. Hoxed,
and John M. Logan, Administrators
of Milton Tootle, deceased,
Plffs in Error
vs.
The Board of Equalization of
Buchanan County, Missouri.

In Error to the Circuit Court of Buchanan County, Missouri.

1444

Appearing to the Court that an authority of Counsel for the plaintiffs in error to dismiss this cause has been filed, Therefore in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per M. Chief Justice Fuller

John J. Gohlman and Knapp
Holmes Grocer Co.
1125. vs. Affs in Error,
William Barton, Kimball,
Barton and George F. Barton,
Partners as Barton Bros.

In Error to the United States Court for the Indian Territory.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record herein, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Frank H. Smith et al.
53. vs. Appellants
Gordon McKay, and Another.

and Mr. J. J. Myers,

This cause was argued by Mr. Causten, Browne, of Counsel, for the appellants, & Counsel for the appellee.

The District of Columbia,
135. vs. Affs in Error.

This cause was argued by Mr. Isaac A. Lyon, the defendant in error, in person

and submitted on a printed argument by Mr. A. F. Thomas and Mr. A. B. Duvall, Counsel for the Plaintiff in error.

Friday, December 20th, 1850. Continued

138. The United States, Appellants, vs. Robert Thornton. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Dodge, of counsel for the appellant, and on the record by Mr. Robert Thornton, the appellee, in proper person.

139. Henry A. Tucker, Appellant vs. Gordon M'Kay. Ordered by the Court that this cause be, and the same is hereby, dismissed.

140. Sarah Van Hagenen et al, Appellants, vs. Rufus K. Sewall. This cause was argued by Mr. A. H. Robertson, of counsel for the appellants, and submitted on a printed argument by Mr. Rufus K. Sewall, the appellee, in proper person.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion it is ordered that P. L. Soper, Esquire of Muscogee, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was severally

William Hawley Huber, Timothy Edward W. Keith et al., Appellants, vs. The Victoria Copper Mining Company. 66. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof it is now here ordered and adjudged

and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

(Mr. Justice Gray took no part in the decision of this case.)

The Central Railroad Company of New Jersey, Appellant,
v. Appeal in Error.
Leonard (Respondent.)

On certificate from the United States Circuit Court of Appeals for the Second Circuit.

373.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative, and the second question in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Field and
Mr. Justice Harlan.

No 714 George S. Moore vs. Hiram Bowen, The United States

In Error to the District Court of the United States for the Southern District of Alabama

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Alabama, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this Cause be, and the same is hereby, reversed; And that this Cause be, and the same is hereby, remanded to the said District Court with directions to quash the indictment.

Per Mr Justice Brown

Ex parte: In the matter of The Alexandria Ferry and Toll Company et al, Petitioners

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of Counsel thereupon had, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr Justice Gray

Monday, December 20th, 1858

75. The United States, Plff in Error, vs. William P. Layfayard and George A. Pleigo

In Error to the Circuit Court of the United States for the District of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice [illegible]

John Keane, for Plff in Error, vs. Anna Sophia Duggan, Executrix, and Alexander Hall, Executor, of the estate of John Duggan deceased

In Error to the Supreme Court of the State of Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

The Phoenix Fire & Marine Insurance Co. of Memphis, etal. vs. Kiffe in Error, The State of Tennessee for the use of The City of Memphis

No. [illegible]

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby, granted, and the cause assigned for argument on the first Monday of January next, to be heard with No. 668 and [illegible] cause.

Per Mr. Chief Justice Fuller

Caroline Southworth, Executrix &c., vs. Appellant, The [illegible] collector

652.

On consideration of the motion to advance this cause, it is now here ordered by the Court that the said motion be and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Alexander Lazard et al., vs. Kiffe in Error, The Merchants & Miners Transportation Company

606.

On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be and the same is

hereby denied, & the grant of a printed record, of the essential parts thereof.

Per Mr. Chief Justice Fuller

685. A. S. Churchill Attorney General, et al., Appellants
vs.
Olive Knee et al.,

684. A. S. Churchill, Attorney General, et al., Appellants,
vs.
George Smith et al.

683. And
A. S. Churchill, Attorney General, et al., Appellants
vs.
Mary L. Higginson et al.

On consideration of the motions to advance these cases, it is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

506. Climaco Calderon, Appellant
vs.
The Atlas Steamship Company, Limited.

On a petition for a writ of Certiorari, to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice

The Society of Shakers at Pleasant Hill Kentucky, et al.
vs. Appellants
Oliver Watson, Mc Lellan Smither Executrix of Henry Smither deceased

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

172 Josh. T. Hill
vs. Plff in Error
John Corcoran

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument, but it will be taken on re-submission on printed briefs at any time during the term.

Per Mr. Chief Justice Fuller.

111. The Chicago, St. Paul, Minneapolis & Omaha Railway Company,
vs. Plff in Error,
John Roberts.
And
112. The Chicago, St. Paul, Minneapolis & Omaha Railway Company,
vs. Plff in Error,

It is ordered by the Court that these cases be, and they are hereby restored to the docket for re-argument, but they will be

mission on printed briefs at any time during the term.

Per Mr. Chief Justice Fuller.

647. The Jersey City & Bergen Railroad Company, Plff in Error, vs. James E. Morgan. } In Error to the Supreme Court of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

650. Henry Kohl, Appellant, vs. Herman Lehlbach, Sheriff of Essex County, New Jersey. } Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

Henry Kohl,
650. vs. Appellant,
Norman Lebkicker, Sheriff.

It is ordered by the Court that the mandate in this cause be issued at once.

Per Mr. Chief Justice Fuller.

731. Jane Wallace, Plff in Error, vs. The United States.
778. John Matthews, Plff in Error, vs. The United States.
792. Rufus Buck et al., Plff in Error, vs. The United States.
801. Francis A. Coffin, Plff in Error, vs. The United States.
809. Ed. Wilkey, Plff in Error, vs. The United States.

Mr. Solicitor General Conrad submitted to the consideration of the Court motions to advance these cases.

Rose L. Saltonstall et al., Executors &c.,
588. vs. Plff in Error,
Joseph Birkbeck,

On motion of Mr. Assistant Attorney General Whitney, of counsel for the Plaintiff in Error, It is ordered by the Court that this cause be assigned for re-argument on the first Monday of March next, after the cases heretofore assigned for that day.

John A. Andrews et al.,
183. vs. Appellants,
Wm. Allen Wilcox.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court on a printed argument by Mr. F. H. Johnson in support of the petition.

642. J. N. Carey et al., Appellants, vs. The Houston & Texas Central Railway Company et al. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. J. Hubley Ashton, Mr. A. H. Joline and Mr. E. B. Knollenbuil, in support of the same, and Mr. Jeff. Chandler, Mr. George Clark, Mr. A. J. Dittenhofer and Mr. R. A. Landale, in opposition thereto.

601. Charles A. Gregory, Appellant, vs. John C. Kemp et al. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Russell Gray, in support of the same, and Mr. E. J. Phelps and Mr. S. A. Brooks, in opposition thereto.

554. Alexander Hillman, Plff in Error, vs. J. M. Friedman, In Error to the Supreme Court of the State of [illegible]

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss this writ of error has been filed, Therefore, in pursuance of said stipulation, It is now here ordered by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs. Per Mr. Chief Justice Fuller.

Further proceedings in the Court this day are postponed until

Monday, January 6th

Pursuant to adjournment the Court met to-day at the Capitol

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices.
George Shiras Jr.
Edward D. White
Rufus W. Peckham
John M. Knight Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened

The Honorable Rufus W. Peckham appeared and produced the following Letters Patent and oaths of Office which were read in open Court and, ordered to be recorded upon the Minutes, viz:

Grover Cleveland,
President of the United States of America,

To all to whom these Presents Greeting:

Know Ye, That reposing special trust and confidence in the wisdom, uprightness and learning of Rufus W. Peckham of New York, I have nominated, and, by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States and do,

fulfil the duties of that Office according to the Constitution and Laws of the said United States and to have and to hold the said Office with all the powers privileges and emoluments to the same of right appertaining, unto him the said Rufus W. Peckham during the term aforesaid.

In testimony whereof, I have caused these Letters to be made Patent and the Seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington the 9th day of December in the year of our Lord one thousand eight hundred and ninety five and of the Independence of the United States of America the one hundred and twentieth.

Grover Cleveland.

By the President:

Judson Harmon,
Attorney General.

I Rufus W. Peckham, do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well

and faithfully discharge the duties of the office
on which I am about to enter. So help me God.

R. W. Peckham

Subscribed and sworn to
before me this sixth day of
January A.D. 1896.

Melville W. Fuller.
Chief Justice of the United States

I Rufus W. Peckham, do solemnly swear that
I will administer justice without respect to
persons, and do equal right to the poor and to
the rich, and that I will faithfully and im-
partially discharge and perform all the duties
incumbent on me as Associate Justice of the
Supreme Court of the United States according to
the best of my abilities and understanding
agreeably to the Constitution and Laws of the
United States. So help me God.

R. W. Peckham.

Subscribed and sworn to
before me this sixth day of
January A.D. 1896.

James H. McKenney,
Clerk of the Supreme Court of the United States.

On motion first made to the Court in this behalf by
Mr. S. B. Dalton it is ordered that William A. Pope,
Esquire, of Santa Fe, Territory of New Mexico, and
Joseph T. Zealy, Esquire, of Pekin, State of Illinois,

Monday, January 9th, 1899. Continued.

Sellers of this Court and the Supreme Court of Pennsylvania.

On motion first made to the Court in this behalf by Mr. Thomas Hart Jr., it is ordered that Charles Wiebner, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

The Southern Pacific Company
vs.
Mabela Pool, Administratrix
of Joseph S. Pool, deceased.

In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; And that this cause be, and the same is hereby remanded to the Supreme Court of the State of Utah with directions to grant a new trial.

Per Mr. Justice White.

The Iowa Central Railway Co.,
vs.
N. Riff in Error,
The State of Iowa.

In Error to the Supreme Court of the State of Iowa.

128.

This cause came on to be heard on the transcript

of the record from the Supreme Court of the State of [illegible], and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged, by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

No. [illegible] William P. Spalding, Plff in Error, vs. William Chandler. In Error to the Supreme Court of the State of Michigan.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

No. 491. Sim Downing, alias Simmerson, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby remanded to the said Circuit Court with direction to grant a new trial.

Per Mr. Justice Field.

62. N. B. Eldridge, Appellant, vs. Peter J. Hezewant and Henry B. Richardson. Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong.

85. Jabez H. Gill, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it

It is now ordered and adjudged by this Court that the judgment of the said Court of Illinois in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brown.

Maria N. H. Bartlett Executrix of Edmund B. Bartlett deceased, Albert C. Woodruff and Henry C. Ritchie, Plffs in Error, vs. Emory A. McClintock, Surviving partner of William Lockwood, &c.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brown.

William Wallace Kirby, Appellant, vs. Maria C. Tallmadge,

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On

adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

George Pierce and John Pierce, Plffs in Err
vs.
The United States

In Error to the Circuit Court of the United States for the Western District of Arkansas.

No. 118.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said Circuit Court in this cause be, and the same are hereby, Affirmed.

Per Mr. Justice Brown.

The Union Mutual Life Insurance Company, Plffs in Err
vs.
Elizabeth Hardcastle

In Error to the Supreme Court of the State of Illinois.

No. 132.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the [illegible] this cause be, and the same is hereby [illegible]

for the want of jurisdiction.

Per Mr. Justice Brown.

138. The United States, Appellant, vs. Robert Thornton. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

Per Mr. Justice Brown.

110. Sarah Van Hagenen et al., Appellants, vs. Rufus K. Sewell. Appeal from the District Court of the United States, for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Florida, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brown.

Monday, January 6th, 1896. Continued.

	Thomas C. Chappell,	In Error to the District
91.	vs.	Court of the United States for
	The United States.	the District of Maryland.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed

per Mr. Justice Gray.

	Frank C. Dickson,	Appeal from the Circuit
15.	vs.	Court of the United States
	Richard C. Patterson,	for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Gray.

The United States,
Appellant,
vs.
The State of New York.

The State of New York,
Appellant,
vs.
The United States

No. 45.
136

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said Court of Claims with directions for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Harlan.

Merlon Hansen,
Appellant,
vs.
James E. Boyd et al.

No. 113

It is ordered by the Court that counsel in this cause be, and they are hereby given two weeks to present suggestions as to the reasonableness of the allowance of the bill of costs herein.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of James Henson,
Appellant.

On consideration of the motion to advance this cause, it is now here ordered by the

Court that said motion be, and the same is hereby, denied, but the cause will be taken up and considered by this Court at any time during the term, if counsel shall be so advised.

Per Mr. Chief Justice Fuller.

731. Jem Wallace, Plff in Error, vs. The United States.
775. John Matthews, Plff in Error, vs. The United States.
792. Rufus Buck et al., Plff in Error, vs. The United States.
801. Francis A. Coffin, Plff in Error, vs. The United States.
809. Ed. Wilkey, alias Ike Lewis, Plff in Error, vs. The United States.

On consideration of the motions to advance these cases,

It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

803. John A. Andrews et al., Appellants, vs. Otto Wm. & William Thom. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of counsel in support of the same,

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

394. The Cincinnati New Orleans & Texas Pacific Railway Co., et al., vs. Appellants,
The Interstate Commerce Commission.

1173. The Interstate Commerce Commission vs. Appellant,
The Cincinnati New Orleans & Texas Pacific Railway Co., et al.

On motion of Mr. Attorney General, Mr. Justice Harlan ordered by the Court that these causes be, and they are hereby, assigned for argument on Monday, the 20th instant at the head of the docket.

747. James J. Davenport, vs. The United States.

Mr. Solicitor General Conrad submitted to the consideration of the Court a motion to advance the cause.

837. Hill Cooper, vs. The United States.

Mr. Solicitor General Conrad, of counsel for the defendant in error, having filed in open Court the following certificate, viz:

"Circuit Court of the United States For the Northern District of Alabama. - Jon. Division.

I, N. W. Nimble, Clerk of the Circuit Court of the United States for the Northern District of Alabama, Jon. Division, do hereby certify that in a certain cause pending in said Court wherein The United States was plaintiff and Hill Cooper, Jno. Brown, Henry Abels, Abe Harrison and James Harris were defendants a final judgment was rendered

by said Court on the twelfth day of March A.D. 1895 in favor of the said United States and against the said Will Cooper, and that on the twentieth day of March A.D. 1895, said Will Cooper sued out a writ of error to said Circuit Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court at Birmingham, Ala. this 2nd day of December A.D. 1895.

(Seal)

N.W. Trimble, Clerk.

Moved the Court to docket and dismiss the cause pursuant to the 4th rule; and it appearing to the Court that the plaintiff in error has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of Alabama be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller

794. The United States, Plff in Error, vs. Samuel Zucker et al.

On motion of Mr. Assistant Attorney General Whitney, It is ordered by the Court that this cause be submitted

for cases Nos. 573 and No. 574 in the order of the cases assigned for to-day.

The Louisville & Nashville Railroad Company
vs. Writ in Error,
The Commonwealth of Kentucky

Mr. Helm Bruce, of counsel for the plaintiff in error moved, the Court to allow three counsel to argue this cause on the part of the plaintiff in error and that additional time be allowed for the argument. Whereupon, it is ordered by the Court that the motion for additional time be denied, and the motion to allow three counsel to argue the case for the plaintiff in error granted.

237. The United States
vs.
Charles A. Allen

Mr. J. C. Bagley, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

The State of California,
Dig. Ct. Sup. vs. Complainant
Southern Pacific Company

Mr. J. C. Langhorne, for the complainant, submitted to the consideration of the Court a motion for leave to file a motion to set aside the taxation of costs herein and for a relaxation of the or-

555. Alex. H. Ewin, Plff in Error, vs. The United States. Mr. R. C. Leeland, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

623. Lewis F. Sheep, Plff in Error, vs. The United States. Mr. C. C. Langworthy, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to enlarge the time for issuing the mandate in this cause.

434. The Raven Gold Mining Company, Appellant, vs. The Miners' Union of the Town of Allison et al. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. C. A. Thomas and Mr. H. H. Bryant, of counsel for the appellant. No counsel appeared for the appellees.

568. The Central National Bank of Boston et al., Plff in Error, vs. Susan R. Stevens et al. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. Edward Winslow Paige, in support of the same, and Mr. Matthew Hale and Mr. [illegible]

376. The Berwind-White Coal Mining Co. vs. Appellant
The Steamship Kate [illegible]

Reargument of this cause was commenced by Mr. George Bechtine, Adams, of counsel for the appellant, and continued by Mr. J. Carter Keller, of counsel for the [illegible]

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Monday January 7th 1889.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field
John Marshall Harlan
Horace Gray
Samuel Blatchford Associate
Henry B. Brown Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire Marshal
James H. McKenney, Esq. Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by Mr. C. N. Davis it is ordered that Benjamin S. Grosscup, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he came accordingly

On motion first made to the Court in this behalf by Mr. Matt G. Reynolds it is ordered that Alex Massey Hough, Esquire, of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf, by Mr. Victor Parker, it is ordered that Jaquelle A. DeTiese Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Louis A. Salomon and Charles Salomon doing business under the firm name of L. A. Salomon & Brother, Plffs in Error, vs. William H. Robertson, Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

19.

Appearing to the Court that a motion by Counsel for the Plaintiffs in error to dismiss this writ of error has been filed, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in, this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller

The Chicago, Rock Island & Pacific Railway Company, Plffs in Error, vs. E. S. Stanley

In Error to the Circuit Court of the United States for the District of Kansas

333.

Appearing to the Court that a motion by Counsel for the Plaintiff in error to dismiss this writ of error has been filed, Therefore, in pursuance,

adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

446. The First National Bank of Garnett, vs. Plff in Error, A. A. Ayers, Sheriff of Anderson County, Kansas, et al.

This cause was submitted to the consideration of the Court, pursuant to the 40th rule, on the record and printed arguments by Mr. J. W. Gleed, of counsel for the plaintiff in error, and Mr. Hiram Deegan, of counsel for the defendants in error.

735. The Chemical National Bank of Chicago, vs. Plff in Error, Hartford Steam Boiler Inspection & Insurance Company

This cause was submitted to the consideration of the Court, pursuant to the 40th rule, on the record and printed arguments by Mr. Hiram T. Gilbert, of counsel for the plaintiff in error, and Mr. Charles N. Baldwin, of counsel for the defendant in error.

736. The Chemical National Bank of Chicago, vs. Plff in Error, City Bank of Portage.

This cause was submitted to the consideration of the Court, pursuant to the 40th rule, on the record and printed arguments by

Hiram P. Gilbert, of counsel for the plaintiff in error and Mr. S. M. McConnell and Mr. D. K. Dewey, of counsel for the defendant in error.

No. The Second White Coal Mining Company, vs. Appellant, The Steamship [illegible]

The argument of this cause was continued by Mr. J. Parker Kelly, of counsel for the appellee and concluded by Mr. H. P. Williams, of counsel for the appellee, and leave was granted, counsel for the appellant to file a supplemental brief herein on or before the 10th inst.

No. The United States vs. Appellee, The City of Santa Fe

The argument of this cause was commenced by Mr. Assistant Attorney General Dickinson, of counsel for the appellant and continued by Mr. Williams, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 6th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

(Present:

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,

Proclamation being made by the Crier of the Court,

On motion first made to the Court in this behalf by Mr. E. G. Merendeen it is ordered that Nathan Mortimer Coon Esquire, of Oswego, State of New York, be admitted to practice as an attorney and counsellor of this Court and he came forward and accordingly

Charles L. Borgmeyer, Administrator &c., Plff in Error,
vs.
William Adler et al.

It is ordered by the Court that the Clerk be and he is hereby granted leave to issue the mandate

In this cause

508 The United States, Appellant
vs.
The City of [illegible]

Reargument of this cause was continued by Mr. S. D. Hubson of Counsel for the Appellee, and concluded by Mr. Mark L. Reynolds of Counsel for the Appellant

The United States,
vs. Plff in Error
529. A certain tract of land in Cumberland Township, Adams County Pennsylvania.

The United States,
vs. Plff in Error
A certain tract of land in Cumberland Township Adams County Pennsylvania

Reargument of these Causes was commenced by the Solicitor General, Conrad, & Conrad, for the Plaintiff in Error and continued by Mr Hammond & Mr Conrad of Counsel for the Defendant in Error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'Clock.

Monday, January 7th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

637. N. J. Faust vs. Jeffrey Dorr et al. The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. A. Hurland and Mr. R. C. Hurland, of Counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of Counsel for the defendants in error.

458. A. T. Schroeder and Mary P. Schroeder, his wife, Appellants, vs. John M. Gormley.

This cause was submitted to the consideration of the Court, pursuant to the 40th rule, on the record and printed arguments by Mr.

Schroeder, of counsel for the appellants, and Mr. Farley & Williams, of counsel for the appellee.

The United States,
185. vs. Appellant,
Henry C. Fuller.

This cause was submitted to the consideration of the Court, pursuant to the 10th rule, on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. C. C. Binney, of counsel for the appellant, and Mr. John Paul Jones, of counsel for the appellee.

The United States,
595. vs. Plff in Error,
A certain tract of land in Cumberland Township, Adams County, Pennsylvania.

and

The United States,
624. vs. Plff in Error,
A certain tract of land in Cumberland Township, Adams County, Pennsylvania.

Plaintiff in error.

The argument of these cases was continued by Mr. Thomas Hart, Jr., of counsel for the defendant in error, and concluded, by Mr. Attorney General Harmon, of counsel for the

Robert B. Bashiell,
569. vs. Appellant,
James B. M. Donovan et al.

The argument of this cause was commenced by Mr. William G. Nelson, of counsel for the appellees, and continued by Mr. William A. Jenner, of counsel for the appellees and Mr. Samuel F. Miller, of counsel for the

Monday, January 9th

the appellant

145. Bamberger, Bloom & Co., pl. Hoffman Bros. def. [illegible]

Mr. Joseph Wheeler in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to enlarge the time for issuing the mandate in this cause.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday January 10th 1896.

Pursuant to adjournment the Court met, to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal,
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr. Seth Ammen it is ordered that Alfred P. Bishop, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in his behalf by Mr. Huntington Putnam it is ordered that Thomas Bond, Jr. Esquire, of Bristol, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in

Monday, January 16th, 1899. [illegible]

On Mr. N. J. Rose it is ordered that Peter Gunter, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on the 16th day of January by Mr. J. Parker Kirlin it is ordered that H. H. Guthrie, Esquire, of Missouri, [illegible] be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

623. Louis F. Sloop, Plff in Error
vs.
The United States

On consideration of the motion to enlarge the time for issuing the mandate in the above [illegible]

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

709. Thomas J. Thornton, Plff in Error
vs.
The United States

Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, submitted to the consideration of the Court a brief [illegible] of errors herein.

653. David S. Stanley et al., Plff in Error
vs.
Mary M. Schwenkly et al.

This cause was submitted to the consideration of the Court on the Record and [illegible]

Printed argument by Mr. Solicitor General Conrad of counsel for the plaintiffs in error, and on the record by Mr. A. A. Hoeklad and Mr. A. G. Sieland, of counsel for the defendants in error.

Santiago Ainsa, Adm'r &c.,
350 vs. Appellant,
The New Mexico & Arizona R.R. Co.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and a printed argument by Mr. Rochester Ford of counsel for the appellant, and on the record by Mr. William Hemp of counsel for the appellee.

Robert B. Brashears,
567 vs. Appellant,
James B. M. Stevenson et al.

Argument of this cause was continued by Mr. H. A. Singleton, of counsel for the appellant and concluded by Mr. William D. Hilson of counsel for the appellee.

The Steamship Delaware &c. et al.,
555 vs. Appellants,
Charles A. Bennett et al.

and

The Steamship "Delaware" &c. et al.,
570 vs. Appellants,
Charles A. Bennett et al.

These causes were argued by Mr. J. Carter Kirlin, of counsel, for the appellants, and Mr. Harrington Putnam, of counsel, for the appellees.

Proclamation being made, the Court is adjourned until Monday next at twelve o'clock.

Monday, January 20th 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.,
Edward D. White,
Rufus W. Peckham,
John M. Wright, Esquire, Marshal,
James A. McKenney, Clerk.

Proclamation being made the Court adjourned.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that Charles Hall Paulson, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. C. Lester it is ordered that P. Mayhew Cunningham, Jr., Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf

Monday, January 8th, 1894

On Motion of Nelson T. Fenton it is ordered that Edgar N. Gans, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Arthur Lupon Moseley, Esquire, of Denison, State of Texas, and Napoleon B. Maxey, Esquire, of Muskogee, Indian Territory, be admitted to practice as attorneys and counsellors of this Court and they were accordingly

On motion first made to the Court in this behalf by Mr. Samuel Untermyer it is ordered that Henry A. Wise, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. A. P. Walker it is ordered that Thomas J. Jennings, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Ellen L. Laing,
vs.
Thomas J. Regan

In Error to the Supreme Court of the State of New York

79

Plaintiff's Counsel to be heard on the transcript of

the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had in conformity with the opinion of this Court.

Per Mr. Justice.

The Jacksonville, Mayport, & Pablo Railway & Navigation Co., Appellants, vs. Mary J. Hooper, Henry A. Hooper Jr., her Husband, and William P. Porter, for the use of Mary J. Hooper. Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Florida.

Per Mr. Justice Shiras

375. Benjamin N. Johnson, Appellant, vs. The United States and Ute Tribe of Indians. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now hereby ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

(See page 264)

Per Mr. Justice Brad[illegible]

337 The United States, vs. Charles R. Allen. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

557 Alex. H. Crain, vs. The United States. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Monday, January 24, 1916

568 The Central National Bank of Boston et al. vs. Allyn Dow Aaron A. Sleeper et al. } On consideration of the motions to dismiss or affirm in this cause, It is now here ordered by the Court that the further consideration of said motions be, and the same is hereby, postponed to the hearing of the cause on the merits.

Per Mr. Chief Justice White

567 James S. Davenport vs. The United States. } On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term.

Per Mr. Chief Justice White

Thomas J. Thornton vs. The United States. } In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and a confession of error by counsel for the defendant in error having been filed therein, it is in pursuance of said confession

now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to set aside the verdict and grant a new trial.

Per Mr. Chief Justice Fuller.

Joshua M. Bisbane, Assignee, &c. vs. Stephen A. Doak. } It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument, with leave to counsel to submit same on briefs already filed, or which may be filed, at any time during the term.

Per Mr. Chief Justice Fuller.

431. The Raven Gold Mining Co., Appellant, vs. The Miners' Union of the Town of Hillman, et al. It is ordered by the Court before the consideration of this cause, that affidavits be filed, stating the facts in respect of the matters therein involved upon which counsel rely as showing that there is now an actual controversy between the parties to the record existing in said cause and between which by this Court can be carried into effect by its judgment.

Per Mr. Chief Justice Fuller.

Monday January 10th, 1887 Continued

721. Frank Barrett, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed and that this cause be and the same is hereby remanded to the said Circuit Court with a direction to set aside the verdict and grant a new trial.

Per Mr. Chief Justice

627. The Missouri Pacific Railway Company, Plff in Error, vs. Mary Fitzgerald Administratrix of John Fitzgerald, deceased, et al. In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed

for the want of jurisdiction.
Per Mr. Chief Justice Waite

684. James Compton,
vs. Appellant
James R. Jeup & Edward
A. Dyer, Trustees, &c.

Mr. Judson Harmon, of Counsel for the appellant submitted, to the consideration of the Court a motion

to advance this cause

685. The United States,
vs. Appellant
The Oregon & California
Railroad Company, &al.

Mr. Solicitor General, Conrad, of Counsel for the appellant, submitted to the consideration of the Court a motion

to advance this cause.

Caleb H. Dunham,
vs. Appellant,
John A. Seymour, Commissioner
of Deeds.

The motion to dismiss in this cause was submitted, to the consideration of the Court on a printed argument by Wm. L. Campbell, in support of the same, and leave for counsel for the appellant to file printed Brief in opposition thereto within ten days.

770. The Southern Pacific Railroad Company, &al.,
vs. Appellants,
The United States

On motion of Mr. Joseph H. Choate of Counsel for the appellants, it is ordered by the Court

that this cause be, and the same is hereby, re-assigned for argument on the third Monday of March next.

31st. R. B. Grimes Dry Goods Co. vs. Aff in Error, John Malcolm et al. — Mr. N. B. Harris of Counsel for the Plaintiff in error. Submitted to the Consideration of the Court on motion and argument of Counsel

13. Amos Woodruff, Trustee, et al., vs. Aff in Error, The State of Mississippi — Mr. Calderon Carlisle, of Counsel for the Plaintiffs in error. It is ordered by the Court that this cause be, and the same is hereby assigned for re-argument on the first Monday of March next after the cases heretofore assigned for that day.

Nov. The Bayou Power Brake Company et al., vs. Appellants, George Westinghouse Jr. — The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, was submitted to the Consideration of the Court on a printed argument by Mr. George H. Christy, Mr. Frederic A. Betts, Mr. J. Snowden Bell and Mr. Leonard Waters in support of the same, and upon

granted Mr. Nelson S. Tilton to file printed brief in opposition thereto on or before Monday next.

148. The Virginia & Alabama Coal Company in its own behalf and for the use of Pee Dee Iron & Steel Co. vs. Appellant. The National Wisconsin Banking Company of Georgia et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Marion Erwin and Mr. W. B. Compton in support of the same, and Mr. Walter B. Hill in opposition thereto.

355. C. H. Mayes, High Sheriff of the Cherokee Nation, vs. Appellant. Dull Chrisie. Appeal from the United States Court for the Indian Territory.

This cause having been called to the attention of the Court by Mr. R. C. Garland, in behalf of Counsel for the appellant and he having suggested to the Court that this cause was abated owing to the death of the appellee, therefore, in pursuance of said suggestion, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

Monday, January 7th, 1878, continued.

George A. Eddy & H. C. Crowe, Receivers of The Missouri, Kansas & Texas Railway Company, vs. Appellee in Error, Ben. F. Lafayette et al.

Motion of Mr. A. B. Browne, in behalf of counsel, announced by the Court that Henry C. Rowe, successor to George A. Eddy & H. C. Crowe, deceased, as Receiver of The Missouri, Kansas & Texas Railway Company, be, and he is hereby, made the party plaintiff in error in this cause.

457. James H. Walker et al, vs. Appellants, Daniel L. Dimon, Attorney, &c.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments of Mr. Henry S. Robbins, of counsel for the appellants, and Mr. [illegible], of counsel for the appellee.

452. Plutarco Ornelas, Consul of the Republic of Mexico, vs. Appellant, Snez Ruis et al.

This cause was argued by Mr. J. M. McElroy, of counsel for the appellant, and submitted on a printed argument by Mr. P. J. McManus, of counsel for the appellee.

415. Charles Davis, vs. Plff in Error, The Elmira Savings Bank

The argument of this cause was commenced by

Monday January 13th, 1879, Continued.

argued Winslow Paige, of counsel for the Plaintiff in error, and contended by Mr. James Collier, of counsel for the Defendant in Error.

The Lion City of St. Paul, Railroad Co., Plaintiff, vs. A. D. Pellant, Defendant.

On consideration of the petition for a re-hearing in this cause, It is now ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Justice Miller.

Proclamation being made the Court is adjourned until Tomorrow morning at ten o'clock.

Monday, January

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation was made by the Court

On motion first made to the Court in his behalf by Mr. Alex. P. Humphrey it is ordered that A. H. Bruce Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was accordingly admitted

On motion first made to the Court in his behalf by Mr. Charles D. Voorhees it is ordered that W. L. Ettinger, Esquire, of Colfax, State of Washington be admitted to practice as an attorney and counsellor of this Court and he was accordingly admitted

Charles Davis,
vs. No. 415
The Texas & Pacific Railway Co.

The argument of this cause was continued by Mr. James C. Carter

and Mr. Edward Y. Meredith, of counsel for the defendant in error, and concluded by Mr. Edward Hinelon Paige, of counsel for the plaintiff in error.

No. 1491. The United States, plaintiff in error, vs. Samuel Tucker et al. This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. Alvin J. Rice, of counsel for the defendants in error.

No. The Louisville & Nashville Railroad Company, plaintiff in error, vs. Ellis in Error. The argument of this cause was commenced by Mr. Helm Bruce, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire
James A. McKenney

Proclamation being made the Court entered

On motion first made to the Court on behalf of John A. Mitchell it is ordered that C. C. McGehee Squire, of Seattle, State of Washington be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

197. The Louisville & Nashville Railroad Company, Plff in Error, vs. The Commonwealth of Kentucky

Reargument of this cause was continued by Mr. Helm Bruce, of Counsel for the plaintiff in error, Mr. George M. Davie, of Counsel for the defendant in error, Mr. [illegible] Bruce, of Counsel for the plaintiff in error,

Alex. P. Humphrey, of counsel for the defendant in error, and concluded by Mr. James P. Keller, of counsel for the plaintiff in error.

No. 569. The Central Pacific Railroad Co. vs. The People of the State of California and The Southern Pacific Railroad Co., vs. Same Defendant in Error.

The argument of these cases was commenced by Mr. J. Hubley Ashton, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. B. M. Estes it is ordered that [illegible], Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

690. The German Bank and John M. Peleis, Plaintiffs in Error, vs. The State of Tennessee for the use of The City of Memphis.

In Error to the Supreme Court of the State of Tennessee.

This cause having been docketed in the office

the Court by Wm. S. P. Walker, of counsel for the defendant in error, and a stipulation to dismiss this writ of error having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

669 The German Bank Ad John M. Peters, vs. The State of Tennessee Ad the County of Shelby

In Error to the Supreme Court of the State of Tennessee

This cause having been called to the attention of the Court by Wm. S. P. Walker of counsel for the defendant in error, and a stipulation to dismiss this writ of error having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

670. The Mechanics Savings Bank and S. Kutzenberger, vs. The State of Tennessee for the use of the

In Error to the Supreme Court of the State of Tennessee

This cause having been called to the attention of

the Court by Mr. S. P. Walker, of counsel for the defendant in error, and a stipulation to dismiss this writ of error having been filed, Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice

671. The Mechanics' Savings Bank and Trust Company, Plff in Error, vs. The State of Tennessee ex rel. The County of Shelby. In Error to the Supreme Court of the State of Tennessee.

This cause having been called to the attention of the Court by Mr. S. P. Walker, of counsel for the defendant in error, and a stipulation to dismiss this writ of error having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice

559. The Central Pacific Railroad Co., Plff in Error, vs. The People of the State of California and The Southern Pacific Railroad Co.,

560. Plff in Error, vs. The People of the State of California

The argument of these cases was continued by Mr. J. Hubley Ashton, of counsel for the Plaintiffs in error

and Mr. J. R. Longhorne and Mr. J. A. Miller, of Counsel for the defendants in error, and concluded by Mr. J. Hubley Ashton, of Counsel for the plaintiffs in error.

669. The Western Union Telegraph Co. vs. Hoff in Error, Thomas Taggart, Sutler &c.

The argument of this cause was commenced by Mr. John F. Dillon, of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, January 7th, 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James A. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David B. Hill it is ordered that Henry D. Goldsmith, Esquire, of New York City, and F. G. Allen, Esquire, of Moline, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. Frank T. Browning it is ordered that J. B. Sommerville, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

271. The Union Pacific Railway Co., vs. James Callaghan, Mr. F. D. McKenney, counsel for the defendant in error, suggested the death of James Callaghan, the defendant in error herein, and moved the Court to make Anna Callaghan, Administratrix of James Callaghan, deceased, the party defendant in error. Whereupon it is now here ordered by the Court that the said Anna Callaghan, Administratrix of James Callaghan, deceased, be, and she is hereby, made the party defendant in error in this cause.

The State of California, Original, Oct. Term 1875. vs. Complainant's Motion for Leave to File Brief. On motion of Mr. J. Hubley Ashton, leave is hereby granted to file the brief of Mr. Henry S. Brown, of counsel for the defendant in opposition to the motion for a re-taxation of the costs in this cause.

662. The Western Union Telegraph Co., vs. Ross, in Error. Reargument of this cause was continued by Mr. John F. Dillon, of counsel for the plaintiff in error, and Mr. Judson Harmon and Mr. William A. Maledon, of counsel for the defendants in error, and concluded for Mr. John F. Dillon, of counsel for the plaintiff.

Friday, January 17th, 1896. Continued.

The State of Missouri ex rel:
The Laclede Gas Light Company
vs.
Michael J. Murphy, State Com-
missioner.

Oct.

The argument of this cause was commenced by Mr. S. A. Lombardi, of counsel for the Plaintiff

Proclamation being made the Court is adjourned until Monday next at ten o'clock A.M.

Pursuant to adjournment the Court met
today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras Jr.
Edward D. White,
Rufus W. Peckham,
Associate Justices.
John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion made to the Court in this behalf by Mr. Attorney General Harmon it is ordered, that D. M. Valentine and Thomas F. Doran, Esquires, of Topeka, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly

On motion first made to the Court in this behalf by Mr. Attorney G. Maguire it is ordered that Daniel H. Reinhard, Esquire, of Aberdeen, State of South Dakota, be admitted to practice as an attorney, and counsellor of this Court and he was severally accordingly

On motion first made to the Court in this behalf

Monday, January 20th, 1890. Continued

On motion by Mr. James Hamilton Lewis it is ordered that A. W. Hastie, Esquire of Seattle, State of Washington be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

On motion first made to the Court in this behalf by Mr. N. H. Harrison it is ordered that Edward Lincoln, Esquire, of Cincinnati, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

On motion first made to the Court in this behalf by Mr. J. J. Darlington it is ordered that Noel M. Bickdale, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

On motion first made to the Court in this behalf by Mr. Frank Hagerman it is ordered that E. Z. Kelly, Esquire, of Lamoni, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

The United States, Appeal from the
305 vs. Appellant, Court of
Nancy C. Miller

This cause came on to be heard on the

of the record from the Court of Claims, and was
argued by Counsel. On consideration whereof
it is now here ordered and adjudged by this
Court that the judgment of the said Court of
Claims in this cause be, and the same is hereby
affirmed.

Per Mr. Justice Blatchford.

17 S. Nalle & Co., Appellants, vs. Mary A. Young et al. Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause of June 17, 1887, be and the same is hereby reversed, with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to enter a decree overruling the objections to the sale of July 30, 1887; dissolving the injunction; adjudicating the property to Mrs. Mary Nalle, wife of Curtis St. Golson, and ordering the delivery of possession to her.

Per Mr. Chief Justice Waite.

N. B. Grimes Dry Goods Co.
vs. Appellees
317 John Malcolm et al.

On consideration of the motion & cause argued by counsel, It is now here ordered by the Court that the same is hereby, denied.

Per Mr. Chief Justice

James Compton,
vs. Appellant,
689. James A. Yeaw & Executor
A. Dixon, Executor

On consideration of the motion & cause argued by counsel, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday after the cause heretofore assigned for that day, but it will be taken on submission on printed briefs at any time during this term, if counsel shall so desire.

Per Mr. Chief Justice

The United States
vs. Appellant,
678. The Oregon & California Railroad Company

On consideration of the motion & cause argued by counsel, It is ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cause heretofore assigned for that day.

The Virginia & Alabama Coal Company, Limited, on behalf and for the use of the Sloss Iron & Steel Company,
No 8. vs. Appellant,
The Central Railroad & Banking Company of Georgia.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

(per Mr. Chief Justice Fuller.)

Bamberger, Bloom & Co.,
vs.
No 48. Hyman Fox,
H. B. Wolcott, Jr., for Appellants.

On consideration of the motion to enlarge the time for issuing the mandate herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and it is ordered that the mandate be not issued for thirty days after the expiration of the time allowed by Rule 30.

(per Mr. Chief Justice Fuller.)

No. 56. Curtis H. Holcombe et al. vs. Irvin B. Wright et al.
No. 57. Irvin B. Wright et al., vs. Curtis H. Holcombe et al.
On motion of Mr. Walter H. Smith, of Counsel, leave is here-

Monday January 7th 1895

392 The Cleveland, Cincinnati, Chicago & St. Louis Railway Co. vs. Appellee. Error to Milland F. Peltier

It is ordered by the Court that the submission of this cause be and the same is hereby, set aside, and the cause remanded, to the United States Circuit Court of Appeals for the Seventh Circuit with leave to file a more explicit certificate as shall be necessary for [illegible] in the cause [illegible]

Per Mr. Chief Justice [illegible]

511 John A. Ward, Sheriff &c. vs. Appellant. Alice Kinney

Mr. Attorney General for the appellee, submitted to the consideration of the Court a motion to advance the [illegible]

556 Curtis N. Holcomb, vs. Appellant, Irvin B. Wright et al.

577 Irvin B. Wright et al., vs. Appellants, Curtis N. Holcomb.

Appeals from the Circuit Courts of the Middle Dist. [illegible]

This cause having been called to the attention of the Court by Mr. Walter A. Smith, of counsel for Holcomb, and stipulations to dismiss these appeals having been filed, Therefore, in pursuance of said stipulations, It is now here ordered, adjudged, and decreed by this Court that these [illegible]

peals be and the same are hereby dismissed, costs in this Court to be paid by Curtis W. Holcomb.

(For Mr. Chief Justice Waite.)

The Gulf, Colorado & Santa Fe Railroad Company,
vs. Appellee in Error.
No. 185. A. B. Hagler.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. John J. Mead, in support of the same, and Mr. A. F. Sutton, Mr. A. B. Browne, and Mr. C. L. Soper, in opposition thereto.

William Henry Elder et al.,
vs. Appellants,
No. 162. Sarah E. McElvoy et al.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on printed arguments by Mr. S. F. Beaupré and Mr. John J. Darrington, in support of the same, and Mr. A. G. Mercer, Mr. Ledyard Lincoln, and Mr. F. C. Harper, in opposition thereto, and leave was granted Mr. John J. Darrington to file an additional brief within five days.

Martha Barnitz,
vs. Plff. in Error.
No. 163. John L. Beverly.

Mr. D. M. Valentine, of counsel for the plaintiff in error, submitted, to the consideration of

Monday, January [illegible], 1872

the Court a motion to advance the cases

264. The Phoenix Fire & Marine Ins. Co. Error to the State of [illegible]
265. The Bank of Commerce et al. Error to the State of [illegible]
266. The Bank of Commerce et al. Error to the State of [illegible]
272. The Home Ins. & Trust Co. et al. Error to the State of [illegible]
273. The Home Ins. & Trust Co. et al. Error to the State of [illegible]
274. The Memphis City Bank et al. Error to the State of [illegible]
275. The Memphis City Bank et al. Error to the State of [illegible]
276. The Mercantile Bank et al. Error to the State of [illegible]
277. The Mercantile Bank et al. Error to the State of [illegible]
278. The Hanover Fire Marine Ins. Co. et al. Error to the State of Tennessee.
279. The Hanover Fire Marine Ins. Co. et al. Error to the State of [illegible]
280. The County of Shelby et al. Appeal from the Union Circuit

On motion of Mr. A. J. Morgan it

is ordered by the Court that three hours additional time be allowed for the argument of these cases that four counsel be allowed to argue the cases on behalf of the plaintiffs in error and that the cases be heard as one case.

534. The Mayor & City Council of Columbus, Miss., vs. Error to John M. Stevens et al.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. A. H. Garland and Mr. A. C. Garland in support of the same, and by Mr. A. C. Beckett in opposition thereto

The Church of Christ at Independence, Mo. et al.,
vs. Appellants.
The Reorganized Church of Jesus Christ of Latter Day Saints.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Frank Hagerman and Mr. Smith McPherson in support of the same, and Mr. C. O. Stillman, in opposition thereto.

No. 100. The Prairie State National Bank of Chicago, Ills.,
vs. Appellant.
The United States
ex rel
The United States,
vs. Appellant.
No. 105. Charles A. Wickersham et al.

Mr. A. B. Browne, of counsel for the Bank, submitted, to the consideration of the Court a motion to fix a day for the re-argument of these cases.

No. 635. Charles H. Nordstrom,
vs. Plff in Error.
The State of Washington.

Mr. A. H. Martie, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, and leave was granted Counsel for the plaintiff in error to file a brief in opposition thereto.

Monday, January 8th, 1872 Continued.

667. The State of Missouri ex rel: The Laclede Gas Light Co. vs. Riffin Error, Michael J. Murphy, State Commissioner &c.

Reargument of this cause was continued by Mr. Henry Hitchcock, of counsel for the plaintiff in error and Mr. W. C. Marshall, of counsel for the defendant in error, and concluded by Mr. Henry Whitehouse, of counsel for the plaintiff in error.

669. The Peoria Fire & Marine Ins. Co. et al. Riffin Error vs. The State of Tennessee use &c.
668. The Bank of Commerce et al. Riffin Error vs. The State of Tennessee use &c.
664. The Bank of Commerce et al. Riffin Error vs. The State of Tennessee et al.
672. The Home Ins. & Trust Co. et al. Riffin Error, vs. The State of Tennessee use &c.
673. The Home Ins. Co. et al. Riffin Error vs. The State of Tennessee et al.
674. The Memphis City Bank et al. Riffin Error, vs. The State of Tennessee use &c.
675. The Memphis City Bank et al. Riffin Error vs. The State of Tennessee et al.
676. The Mercantile Bank et al. Riffin Error vs. The State of Tennessee, use &c.
677. The Mercantile Bank et al. Riffin Error vs. The State of Tennessee et al.
678. The Rimers Fire & Marine Ins. Co. et al. Riffin Error vs. The State of Tennessee, use &c.
679. The Senators Fire & Marine Ins. Co. et al. Riffin Error vs. The State of Tennessee et al.
680. The County of Shelby et al. Riffin, vs. The Union [illegible]

The argument of these causes was commenced by Mr. J. P. Walker, of counsel for the State of Tennessee and County of Shelby.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 21st, 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham

Associate Justices.

John M. Knight, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. James L. Maguire it is ordered by John A. Barham, Esquire, of Santa Rosa, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. David Hill it is ordered that Benjamin F. De Cross Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Eugene, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

William Pregen,
vs.
The Board of Directors of the Alameda Irrigation District
and
Fallbrook Irrigation District
vs.
Abbott Kinney et al

No. 110.
No. 154.

On motion of Mr. H. C. Rhodes of counsel for the defendant in error and appellant it is by consent and counsel ordered by the Court that these causes be substituted for those causes in the call of the specially assigned docket

The Texas & Pacific Railway Co.,
vs.
Nic. Bloom

No. 156.

Mr. A. C. Garland of counsel for the defendant in error suggested the death of Nic. Bloom, the defendant in error herein and moved the Court to make Charles Manton, Administrator of the said Nic. Bloom, the party defendant in error. Whereupon, it is now here ordered by the Court that the said Charles Manton, Administrator of Nic. Bloom, deceased, be, and he is hereby, made the party defendant in error in this cause.

No. 604. The Memphis Fire & Marine Ins. Co. et al. Appeal in Error vs. The State of Tennessee
No. 608. The Bank of Commerce et al. Appeal in Error vs. The State of Tennessee, use &c.
No. 609. The Bank of Commerce et al. Appeal in Error vs. The State of Tennessee et al.
No. 612. The Home Ins. Co. et al. Appeal in Error vs. The State of Tennessee, use &c.
No. 623. The Home Ins. Co. et al. Appeal in Error vs. The State of Tennessee et al.
No. 624. The Memphis City [illegible] Appeal in Error vs. The State of Tennessee
No. 625. The Memphis City [illegible] Appeal in Error vs. The State of Tennessee et al
No. 626. The Mercantile Bank et al. Appeal in Error vs. The State of Tennessee
No. 627. The Mercantile Bank Appeal in Error vs. The State of Tennessee et al
No. 628. The Planters Fire & Marine Ins. Co. et al. Appeal in Error vs. The State of Tennessee
No. 629. The Planters Fire & Marine Ins. Co. et al. Appeal in Error vs. The State of Tennessee et al
The County of Shelby et al. use &c. vs. The Union & Planters Bank

The argument of these cases was continued by Mr. W. P. Walker of counsel for the State of Tennessee and County of Shelby, and Mr. B. M. Estes of counsel for the Memphis Fire & Marine Insurance Co. et al. and Mr. Williams & Mr. Cargill and Mr. R. J. Dumas for The Bank of Commerce et al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday January 22d, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James McKenney, Esquire,

Proclamation being made, the Court announced

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that Frederick H. Wolls, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 1. The Union Pacific Railway Company, Appellant, vs. Peter Sarpy, Administrator, et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. C. A. Thomas and Mr. W. N. Bryant, in support of the same, and Mr. John F. Dillon and Mr. John M. Thurston in opposition

707. N. Brevin & H. Sons, etal., vs. Riffin Exr. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Fred. A. Baker, in support of the same, and Mr. Don M. Dickinson in opposition thereto.

The Phoenix Fire & Marine Ins. Co. etal, Riffin Exr vs. The State of Tennessee, No. 605. The Bank of Commerce etal, Riffin Exr, vs. The State of Tennessee, case 6.
606. Riffin Exr, vs. The State of Tennessee etal.
672. The Home Ins. Co. etal, Riffin Exr, vs. The State of Tennessee, case 10.
675. The Home Ins. Co. etal, Riffin Exr, vs. The State of Tennessee etal.
676. The Memphis City Bank etal, Riffin Exr, vs. The State of Tennessee, case 11.
678. The Memphis City Bank etal, Riffin Exr, vs. The State of Tennessee etal.
679. The Mercantile Bank etal, Riffin Exr, vs. The State of Tennessee, case 12.
677. The Mercantile Bank etal, Riffin Exr, vs. The State of Tennessee etal.
674. The Planters Fire & Marine Ins. Co. etal, Riffin Exr, vs. The State of Tennessee, case 13.
673. The Planters Fire & Marine Ins. Co. etal, Riffin Exr, vs. The State of Tennessee etal.
The County of Shelby etal, Wells, vs. The Union & Planters Bank.

The argument of these cases was continued by Mr. R. J. Morgan, of counsel for the Bank of Commerce etal., and Mr. J. B. Turley, of counsel for The Memphis City Bank etal, and concluded by Mr. S. P. Walker, of counsel for the State of Tennessee and County of Shelby. Mr. F. C. Carlon of counsel for The Home Insurance & Trust Co, etal., submitted on a printed argument.

Wednesday January [illegible]

341. William M. Fishback et al. vs. The Western Union Telegraph Co. Appellants

The argument of this case was commenced by Mr. A. H. Garland, of counsel for the appellants, and continued by W. W. Morsman, of counsel for the Pacific Express Co., and Mr. Rush Taggart, of counsel for the Western Union Telegraph Company.

342. [illegible] M. Fishback et al. vs. The Pacific Express Company Appellants

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

322 Monday, January 3rd, 1898

Pursuant to adjournment the Court met to-
day at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.

Proclamation being made the Court is opened.

No. 163. Buz Lucky, Plaintiff in Error, vs. The United States. Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, submitted to the consideration of the Court a confession of error herein.

No. 164. Thornton Armstrong, Plaintiff in Error, vs. The United States.

No. 171. Sam Wilson, Plaintiff in Error, vs. The United States.

No. 172. Thomas J. Riordon, Plaintiff in Error, vs. The United States.

On motion of Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandates

George H. Post,
694. vs. Affn in Error
The United States

On motion of Mr. Assistant Attorney General, Attorney General for the defendant in error

It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

573. Warren F. Putnam Affn Error vs. The United States.
574. Warren F. Putnam Affn Error vs. The United States.

These causes were submitted to the consideration of the Court on the records and printed arguments by Mr. F. D. Steele, of counsel for the plaintiff in error, and Mr. Solicitor General Conrad, of counsel for the defendant in error.

Arthur D. Mathews,
532. vs. Affn in Error
The United States

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. J. Marion Brooks and Mr. M. D. Barnard, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

William Treger,
110. vs. Affn in Error
The Board of Freeholders of the Modesto Irrigation District.

On motion of Mr. Benjamin Harrison, of counsel, It is ordered by the Court that one hour

Fallbrook Irrigation District et al. vs. Appellants, Maria King Bradley et al

additional time be allowed counsel, on each side, for the argument of this cause

754. Fallbrook Irrigation District et al., vs. Appellants, Maria King Bradley et al

On motion of Mr. N. D. Guthrie leave is hereby granted him to file a printed brief herein on behalf of certain parties in interest.

341. William M. Fishback et al., vs. Appellants, The Western Union Telegraph Co.

And

William M. Fishback et al. vs. Appellants, The Pacific Express Co

The argument of this cause was continued by Mr. Rush Taggart, of counsel for the Western Union Telegraph Company, and concluded by Mr. A. A. Hoeland, of counsel for the appellants.

765. Theodore F. Brown, vs. Appellant, John M. Walker, Col. Marshal

This cause was argued by Mr. James C. Carter, of counsel for the appellant, and Mr. George F. Edmunds, of counsel for the appellee

Monday January 28th 1895 Continued

110. William Pegler
vs. Cliff in Error,
The Board of Directors of the
Modesto Irrigation District
&
Fallbrook Irrigation District et al,
759. vs. Appellants,
Marin King Bentley et al

Reargument of these cases commenced by Mr. Thomas B. Bond, of counsel for the plaintiff in error, and continued by Mr. A. L. Rhodes of counsel for the defendants in error and appellants.

Proclamation being made the Court is adjourned until tomorrow at eleven o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. A. L. Rhodes it is ordered that James H. Maguire, Esquire, of San Francisco, State of California, be admitted to practice as counsel and attorney and counsellor of this Court and he was sworn accordingly.

William Fraser
vs.
The Board of Directors of the Mercantile Progressive School District of Fallbrook Irrigation District et al.

No. 110. Appeal from the Supreme Court of the State of California.

The argument of counsel for the appellant was commenced by Mr. A. L. Rhodes and Mr. Benjamin Noble, counsel for the respondent was

Friday January [illegible]

[illegible]

[illegible]

[

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that John E. Nolley and Eli T. Conrad, Esquires, of Harrisonburg, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. Attorney Hoyt it is ordered that Benjamin W. Lacy, Esquire, of Dubuque, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

On motion first made to the Court in this behalf by

Monday, January 2nd, 1899. After Recess.

On motion it is ordered that W. J. Turney Esquire, of West End, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert V. Bell it is ordered that William C. Bell Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered that James R. Sheffield Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that James M. Ashton, Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 194. The United States, Plff in Error, vs. A certain tract of land in Cumberland Township, Adams County, Pennsylvania.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript

the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Peckham

The United States.
679 vs. } In Error &c.
A certain tract of land in Cumberland Township, Lenni County, Penna.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Peckham

Monday January 7th 1895

The First National Bank
of Garnett, Kansas,

1446. vs. (In Error,

R. A. Ayers, Sheriff of Anderson
County, Kansas, J. M. Haywood,
Treasurer of Anderson County,
Kansas, and The Board of County Com-
missioners of Anderson County, Kansas.

In Error to
the Supreme
Court of the
State of Kansas

This cause came on to be heard on the transcript of
the record from the Supreme Court of the State of
Kansas, and was argued by counsel. On con-
sideration whereof, It is now here ordered and
adjudged by this Court that the judgment of the
said Supreme Court in this cause be, and the
same is hereby, affirmed with costs.

Per Mr. Justice Peckham

Louis Rosen,

1424. vs. Appellee,

The United States

In Error to the Circuit Court
of the United States for the
Southern District of New York

This cause came on to be heard on the transcript of
the record from the Circuit Court of the United States
for the Southern District of New York, and was
argued by counsel. On consideration whereof,
It is now here ordered and adjudged by this Court
that the judgment of the said Circuit Court in this
cause be, and the same is hereby, affirmed.

Per Mr. Justice Peckham

Dissenting:
Mr. Justice White

Order.

Ordered that the 51st Rule of Practice in Admiralty be amended so as to read as follows:

51.

When the defendant in his answer alleges new facts, these shall be considered as denied by the libellant; and no replication, general or special, shall be filed, unless allowed or directed by the Court on proper cause shown. But within such time after the answer is filed as shall be fixed by the district Court, either by general rule or by special order, the libellant may amend his libel so as to confess and avoid, or explain or add to, the new matters set forth in the answer; and within such time as may be fixed, in like manner, the defendant shall answer such amendment.

Per Mr. Chief Justice Fuller.

Boyden Power Brake Company
vs.
George Westinghouse, Jr. and The Westinghouse Air Brake Company

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

Def.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereon, had, as well in

support of his argument the same. It is now here ordered by the Court that said petition be and the same is hereby, granted.

Per Mr. Chief Justice Fuller

100. The Fidelity State National, Bank of Chicago, Illinois. vs. Appellant. The United States. And The United States, vs. Appellant. Charles A. Peabody et al.

On consideration of the motion to fix a day for the re-argument of these causes, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

118. The Gulf, Colorado & Santa Fe Railroad Company, vs. Appellee. A. B. Roff et al.

On consideration of the motions to dismiss or affirm in these causes It is now here ordered by the Court that the further consideration of said motions be, and the same is hereby postponed to the hearing of the causes on its merits.

Per Mr. Chief Justice Fuller

635. Charles H. Nordstrom, vs. Appellant. The State of Washington.

On consideration of the motion to advance these causes

Per Mr. Chief Justice Fuller

It is ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

The Mayor &c. City Council of Columbus, Mississippi, vs. Allen in Error, John M. Lamison, &c. Nelson, &c. Defendants

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

In consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 541. John A. Hurd, Sheriff &c., Appellant, vs. (Race Horse &c.)

In consideration of the motion to advance this cause, It is now ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Monday, January 2[illegible], 1905

319.	The Church of Christ at Independence Missouri, et al., vs. The Reorganized Church of Jesus Christ of Latter Day Saints	On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller

163.	Martha Barnitz vs. John L. Berckey	On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced, to be submitted on printed briefs at any time before the second Monday of April next.

Per Mr. Chief Justice Fuller

707.	A. Booth & Sons, et al., vs. The Fort Street Union Depot	On consideration of the motion to dismiss in this cause, It is now here

ordered by the Court that the further consideration of the said motion be, and the same is hereby

postponed to the hearing of the cause on its merits

Per Mr. Chief Justice Fuller

No. 1[illegible] Diaz Luckey vs. The United States In Error to the Circuit Court of the United States for the Western District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and a confession of error by counsel for plaintiff in error, saying [illegible] defendant in error [illegible] Therefore in pursuance of said confession of error it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial

Per Mr. Chief Justice Fuller

No. 201. Charles A. Gregory vs. John C. Kemp Van &c. Appeal from the United States Circuit Court of Appeals for the First Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel. On consideration whereof it

It is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction, and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Massachusetts.

Per Mr. Chief Justice [illegible]

The Chemical National Bank of Chicago.
vs.
Riffin Error.
City Bank of Portage.

736.

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice [illegible]

James L. Davenport,
vs.
Riffin Error,
The United States.

747.

Mr. Solicitor General Ogden, of Counsel for the defendant in error submitted to the Court a confession of error [illegible]

338 Monday, January 24th, 1876. Continued (6)

Ex parte Charles Burns, alias Charles Burns,
533. v. Jeffries Brot,
The United States

Mr. Solicitor General Conrad, of Counsel for the defendant in error,

submitted to the consideration of the Court a motion to advance this cause.

John A. White,
708. v. Jeffries Brot,
Nicholas Lenning & John W. Lenning, Executors &c.

Remotion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Holmes Conrad and Mr. H. S. Conrad, in support of the same and Mr. John E. Rollins, in opposition thereto, and leave was granted, counsel for the defendant in error to file an additional brief within three days.

John Stevenson,
681. v. Jeffries Brot,
The United States

On motion of Mr. Assistant Attorney General Dickinson, of Counsel, for the defendant in error it is ordered by the Court that this cause be, and the same is hereby, reassigned for argument on the first Monday of March next after the cases heretofore assigned for that day.

The Elmira & Horseheads R'y Co.,
555. v. Appellant
The Mansion House Hotel Co.

The petition for a writ of certiorari directed to the United

Monday January 2 M. 1893, Continued

State Circuit Court of Appeals for the Second Circuit, was submitted to the consideration of the Court on printed arguments by Mr. William N. Jenner, Mr. Edmund Wetmore and Mr. Thomas B. Kerr, in support of the motion, and Mr. Frederic H. Bell and Mr. James M. Sheffield, in opposition.

611 Robert M. Douglas, Plff in Error, vs. Lance Wallace et al

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. H. C. Montague, in support of the motion, and Mr. Robert M. Douglas in opposition.

110. William Treger, vs. The Board of Directors of the Modesto Irrigation District

On motion of Mr. Neil Wheeler, of counsel for the defendant in error, leave is hereby granted him to file an additional brief.

311. The New York Indians, Appellants, vs. The United States

Mr. A. Estavio, of Counsel for the Appellants, submitted to the consideration of the Court a motion to advance this cause,

Ex parte. In the matter of Murdock Greene et al. (Petitioners.

Mr. George A. King, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

183 William Garland, Appellant, vs. The Bear Lake & River Water Works & Irrigation Company. Appeal from the Supreme Court of the Territory of Utah.

This cause having been called to the attention of the Court by Mr. John F. Dillon, of counsel for the appellee and a stipulation to dismiss the appeal having been filed herein, on motion of said stipulation, It is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed. And it is further ordered that this cause be and the same is hereby remanded to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

183. William Garland, Appellant, vs. The Bear Lake and River Water Works & Irrigation Company. Appeal from the Supreme Court of the Territory of Utah.

This cause having been called to the attention of the

Monday January 7th 1867 Continued

and a stipulation to dismiss this appeal having been filed, Therefore in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed. And it is further ordered that this Cause be and the same is hereby remanded, to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Chase

[illegible] Henry Sanford President &c, Appt, vs. Ebenezer H. Dockendorf, et al.
[illegible] Henry Sanford President &c. Appt. vs. Ebenezer H. Dockendorf, et al.
[illegible] James C. Fargo President &c, Appt vs. Ebenezer H. Dockendorf, et al.
[illegible] Thomas C. Platt, President &c, Appt, vs. Ebenezer H. Dockendorf, et al.
[illegible] 755. The Western Union Telegraph Co. Appt vs. Ebenezer H. Dockendorf, et al.
[illegible] 756 & 757 Same vs. Same
[illegible] 943. James C. Fargo, President &c, Appt, vs. Ebenezer H. Dockendorf et al.
[illegible] 944. Thomas C. Platt, President &c, Appt, vs. Ebenezer H. Dockendorf et al.
[illegible] 945. The Western Union Telegraph Co. Appt vs. Ebenezer H. Dockendorf et al.
[illegible] 950. The Western Union Telegraph Co. Appt vs. Ebenezer H. Dockendorf et al.

Mr. Lawrence Maxwell, Jr., of Counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases

Benjamin Tubman Officer of registration of the 7th election district of Charles County, Md., and J. Simmes Clerk of the Circuit Court for Charles Co. Md., Plffs in Error, vs. Benjamin F. Clement.

In Error to the Court of Appeals of the State of Maryland.

This Cause having been called to the attention of

the Court by Mr. J. Hubley Ashton, of Counsel for the Plaintiffs in error, who stating moved the Court to dismiss the writ of error in this cause. Whereupon in pursuance of said motion, It is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with cost.

(Per Mr. Chief Justice Taney.)

857. J. M. Scott et al. Appts. vs. James Donald,
J. M. Scott Plff in Error, vs. James Donald.
J. M. Scott, Plff in Error, vs. James Donald;
R. M. Gardner et al, Plff in Error, vs. James Donald

Mr. J. Hubley Ashton, in behalf of Counsel, submitted to the consideration of the Court a motion to advance the cases.

110. William Tregea
vs.
The Board of Directors of the Modesto Irrigation District
&
Fallbrook Irrigation District et al,
Appellants.

The argument of these Cases was continued by Mr. Joseph H. Heale, of Counsel for the appellees, and concluded by Mr. John H. Dillon, of Counsel for the defendant in error and appellants.

The Chief Justice announced that at the conclusion of the hearing of the cases on the present day all the Court would adjourn over Monday next.

The Court then having made the Court is adjourned until to-

Tuesday January 20th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. E. M. White it was ordered that William Wirt Hall, Esquire, of San Diego, State of California, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

On motion first made to the Court in this behalf by Mr Joseph H. Choate it was ordered that Virgil P. Ford, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

Thursday, January 23rd, 1873 Continued

The Missouri Pacific Railway Company
vs. Appellant
The State of Nebraska and
The Board of Transportation of the State of Nebraska

On motion of Mr. John F. Dillon, of Counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is, hereby assigned for re-argument on the second Monday of March next after next Nov. 6th Monday

753. The United States
vs.
Jesse L. Stanford, Executor &c

Re-argument of this cause was commenced by Mr. Assistant Attorney General Dickinson, of Counsel for the appellant and continued by Mr. Joseph H. Choate, of Counsel for the appellee

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, January 29th, [illegible]

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court [illegible]

On motion first made to the Court in this behalf by Mr. Attorney General, it is ordered that John G. Milburn, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that George S. Bernard, Esquire, of Petersburg, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. George F. Edmunds, it is ordered that James A. Peterson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by George F. Hoar it is ordered that William H. Moody, Esquire, of Haverhill, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

No. 153. The United States, Appellant, vs. Jane L. Stanford, Executrix, etc.

Reargument of this cause was continued by Mr. Joseph H. Choate, of counsel for the appellee, and concluded by Mr. Solicitor General Conrad, of counsel for the appellant.

No. 321. The Texas & Pacific Railway Co., Appellant, vs. The Interstate Commerce Commission.

Reargument of this cause was commenced by Mr. John F. Dillon, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field

John M. Harlan

Horace Gray

David J. Brewer

Henry B. Brown

George Shiras, Jr.,

Edward D. White,

Rufus W. Peckham,

John M. Wright, Esquire, Marshal,

James McKenney, Clerk.

Proclamation being made the Court is opened.

321. The Texas & Pacific Railway Co., Appellant, vs. The Interstate Commerce Commission. The argument of this cause was continued by Mr. Simon Stern and Mr. John D. Kernan, of counsel for the appellee, and concluded by Mr. Edward B. Taylor, of counsel for the appellant.

394. The Cincinnati, New Orleans & Texas Pacific Railway Co. et al., Appellants, vs. The Interstate Commerce Commission. The argument of these cases was commenced by Mr. N.

1893. The Interstate Commerce Commission Appellant, vs. The Cincinnati New Orleans & Texas Pacific Railway Co. et al.

Of Counsel for The Interstate Commerce Commission, and Continued by Mr. Ed. Baxter,

of Counsel for the Railway Co.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, January 21st, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court [illegible]

On motion first made to the Court in this behalf by Mr. George F. Edmunds it is ordered that D. N. Pinney, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

No. The United States, Plaintiffs in Error, vs. Andrew M. Gray
No. The United States, Plaintiffs in Error, vs. The Keith Company

Mr. Joseph H. Choate, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance these cases

The United States &c ex rel. Wm. Fulton N. Gray
The United States &c ex rel. The Realty Company

Mr. Joseph H. Choate, of Counsel for the defendants in error, suggested a diminution of the records herein, and submitted to the Consideration of the Court a motion for writs of certiorari which was granted.

The Cincinnati, New Orleans & Texas Pacific Railway Co., Mal.
vs. Appellants.
The Interstate Commerce Commission.

No. 394.

Reargument of these cases was continued by Mr. Ed. Baker, of Counsel for the Railway Co., Mal., and concluded by Mr. George F. Edmunds of Counsel for the Interstate Commerce Commission.

The Interstate Commerce Commission,
vs. Appellant.
The Cincinnati, New Orleans & Texas Pacific Railway Co. et al.

No. 473.

The United States ex rel:
Charles D. Long,
vs. Appellant.
William Lochren, Commissioner of Pensions.

No. 728.

Reargument of this cause was commenced by Mr. F. H. Baker, of Counsel for the plaintiff in error, and continued by Mr. Assistant Attorney General Whitney, of Counsel for the defendant in error.

Proclamation being made the Court then adjourned until Monday next at twelve o'clock.

Monday, February 24, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered, that Aaron H. Goldsmith, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. M. Dickinson it is ordered that Frederick W. Holden, Esquire, of Ansonia, State of Connecticut, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Carey it is ordered that William

Monday, February 3d, 1896. Continued.

Taylor, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis it is ordered that F. B. Crosthwaite, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George S. Belknap, Joseph Frazier, C. C. Wolcott and Jesse Diamond, Appellants, vs. George F. Shefield, Appellee. Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill, without prejudice to an action at law against the defendants, or to a suit against the United States.

Mr. Justice Gray delivering the opinion of the Court.

Monday, February 24, 1896, Adjourned

Order.

There having been an Associate Justice of this Court appointed since the commencement of this term,

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeable to the act of Congress in such case made, and provided, and that such allotment be entered of record, to wit:

For the First Circuit, Horace Gray, Associate Justice,
For the Second Circuit, Stephen J. Field, Associate Justice
For the Third Circuit, George Shiras, Jr., Associate Justice
For the Fourth Circuit, Melville W. Fuller, Chief Justice
For the Fifth Circuit, Edward D. White, Associate Justice
For the Sixth Circuit, John M. Harlan, Associate Justice
For the Seventh Circuit, Henry B. Brown, Associate Justice
For the Eighth Circuit, David J. Brewer, Associate Justice
For the Ninth Circuit, Stephen J. Field, Associate Justice.

Per Mr. Chief Justice

The State of Missouri, }
10. Original. v. Complainant, }
The State of Iowa, }

This cause coming on to be heard on the original bill filed herein by the State of Missouri against the State of Iowa, the answer thereto by the State of Iowa, and the reply to said answer by the State of Missouri, and the pleadings and stipulations filed herein by counsel for the respective

parties having been duly considered, and the decree heretofore ordered by this Court on February 3, 1849, and on January 3, 1851, upon report of commissioners forming part thereof, to be carried into pending before this Court between the said States of Missouri and Iowa in regard to the same boundary line now in controversy - having been examined

It is thereupon this third day of February A.D. 1851 ordered adjudged, and decreed that the true and proper Northern boundary line of the State of Missouri and the true and proper Southern boundary line of the State of Iowa is the line run, located, marked and defined by Hendershott and Minor commissioners of this Court, under the order and decree of this Court, as set forth in their report annexed to said decree of January 3, 1851. And it appearing further to the Court that the proper boundary line between said States, run, located and established by Hendershott and Minor aforesaid, lies, between the fifteenth and fifty-fourth mile posts on the same, become obliterated, and that the monuments originally placed thereon have been destroyed, therefore, it is further ordered, adjudged, and decreed that James Harding of the State of Missouri, Peter Dey of the State of Iowa and Dwight L. Morgan of the State of Illinois be and they are hereby appointed Commissioners to find and remark with proper and durable monuments such portions of said line as run, marked and located

Mr. Henderschott and Minor as have become obliterated, especially between the fiftieth and fifty-fifth mile posts on the same, and that this Report and such survey at such points along said line as will enable them to definitely relocate, and redesignate the same.

And it is further ordered that the Clerk of this Court shall forward to the Chief Magistrate of each of said States and to each of the Commissioners designated by this decree a copy of said decree duly authenticated, and that said Commissioners request the cooperation and assistance of the State authorities in the performance of the duties imposed upon them by this decree, and proceed with all convenient speed to discharge their duty in relocating and remarking such portions of said line as have become, obliterated, as herein directed, and make their report thereof and of their proceedings in the premises to this Court on or before the first day of May, 1896, together with a complete bill of costs and charges annexed.

And it is further ordered that, should either of said Commissioners die or refuse to act or be unable to perform the duties required by this decree, while the Court is not in session, the Chief Justice is hereby authorized and empowered to appoint another Commissioner to supply the vacancy, and he is authorized to act on such information in the premises as may be satisfactory to himself.

It is further ordered, that all costs of this proceeding, including, not exceeding, ten dollars per day for each Commissioner, and the other costs incident to the meeting and establishment of said line, shall be paid by the States of Missouri and Iowa equally.

Per M. Chief Justice Fuller.

The State of California } Complainant
vs. } Appearing that
Central Pacific Rail Road Company } the costs in this cause
have not been regularly taxed, &c.,
ordered that it be referred to the Clerk of this
Court to tax the same upon reasonable notice
inviting to both parties of the day and hour
appointed for such taxation.

Per M. Chief Justice Fuller.

No 2. William Henry Stone et al. } On petition for a writ of certiorari
vs. } to the United States
Appellants } Circuit Court of Appeals for the
Micajah T. McKinney et al. } Sixth Circuit.

Upon consideration of the petition for a writ of certiorari, to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon had as well in support of as against the same It is now here ordered by the Court that said petition be, and the same is hereby denied.

Per M. Chief Justice Waite.

708. John K. White, Appellant, v. Nicholas Lenning and John B. Lenning, Executors of Charles Lenning, deceased. In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice [illegible]

737. Henry Sanford, President &c, Appt, vs. Ebenezer H. Roe, Auditor, etal.
738. Henry Sanford, President &c, Appt, vs. Ebenezer H. Roe, Auditor, etal.
739. James C. Fargo, President &c, Appt, vs. Ebenezer H. Roe, Auditor, etal.
740. Thomas C. Platt, President &c, Appt, vs. Ebenezer H. Roe, Auditor, etal.
755. The Western Union Telegraph Co, Appt vs. Ebenezer H. Roe, Auditor, etal.
812. C. A. Seward, Vice President &c, Appt, vs. Ebenezer H. Roe, Auditor, etal.
813. James C. Fargo, President &c, Appt, vs. Ebenezer H. Roe, Auditor, etal.
814. Thomas C. Platt, President &c, Appt, vs. Ebenezer H. Roe, Auditor, etal.
815. The Western Union Telegraph Co, Appt, vs. Ebenezer H. Roe, Auditor, etal.
[illegible]. The Western Union Telegraph Co. Appt, vs. Ebenezer H. Roe, Auditor, etal.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument, as one case, on the second Monday of the next term after the

case heretofore assigned for that day
per Mr. Chief Justice Waite

No. 1. James S. Davenport, Appellant, vs. The United States. } Appeal from the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas and on motion of counsel for the defendant in error having been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial.

(per Mr. Chief Justice Waite.)

No. 2. St. Alberts, alias Charles Reed, Plaintiff in Error, vs. The United States. } On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument for the first Monday of March next after the cases heretofore assigned for that day.

(per Mr. Chief Justice Waite.)

The Elmira & Horseheads Railway Company,
855. vs. Appellant,
The Thomson-Houston Electric Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is, hereby, denied.

Per Mr. Chief Justice Fuller

857. J. M. Scott et al, Appellants, vs. James Donald,
858. J. M. Scott, Plff in Error, vs. James Donald.
859. J. M. Scott, Plff in Error, vs. James Donald.
860. R. M. Gardner et al, Plff in Error, vs. James Donald

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby granted and the cases assigned for argument, as one case, on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller

The New York Indians,
861. vs. Appellants,
The United States

On consideration of the motion to advance this cause, It is now here

ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned, for argument on the second Monday of the next term, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

In re Duke: In the matter of Martha Yeomes et al., Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus herein, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

91. Thomas C. Chappell, Plff. in Err., vs. The United States. It is ordered by the Court that the application for a writ of certiorari, submitted herein in January 27, 1896, be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

No. 1. The United States, Plff. in Err., vs. Andrew N. Gray.
No. 2. The United States, Plff. in Err., vs. The Realty Company.
On consideration of the suggestion of a diminution of the records herein and motion for writs of certiorari, it is now here ordered by the Court that said motion be, and the same is hereby, granted, at the costs of the defendants in error, [illegible] to the admiralty [illegible]

Monday, February 24, 1890, Continued

Matter brought to be brought up.

Per Mr. Chief Justice Fuller.

The United States, Plff in Error, vs. Bulcee & Key —
The United States, Plff in Error, vs. The County Commissioners

On consideration of the motion to advance the cases, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cases assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

573. Warren F. Putnam, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

Warren F. Putnam,
Plff in Error
vs.
The United States

In Error to the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and was argued by counsel. On consideration whereof the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

No 107.

The Northern Pacific Railroad Company,
Plff in Error
vs.
Junius G. Sanders et al.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument at the next term.

Per Mr. Chief Justice Fuller.

No 134.

The United States,
vs.
Philip Rettinger, Admr.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument at the next term.

Per Mr. Chief Justice Fuller.

Monday, February 24, 1896. Adjourned.

735. The Chemical National Bank of Chicago, vs. Hoffin Error. Hartford Deposit Company. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

745. The United States, Appellant, vs. The American Bell Telephone Company et al. Mr. Solicitor General Conrad, of Counsel, for the appellee, submitted to the consideration of the Court a motion to advance this cause.

882. Charles E. Gantee, vs. Hoffin Error. The United States. Mr. Solicitor General Conrad, of Counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"District Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the District Court of the United States for the District of Maryland, do hereby certify that in a certain cause pending in

Court wherein The United States was plaintiff and Charles C. Gaither was defendant a final judgment was rendered by said Court on the 3d day of August, A.D. 1895, in favor of the said Plaintiff and against the said defendant, and that on the 3d day of August, A.D. 1895, said defendant sued out a writ of error to said District Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said District Court at Baltimore, this 30th day of January, A.D. 1896.

(Seal) (Jas. W. Chesney, Clerk.)

Moved the Court to docket and dismiss this cause pursuant to the 9th rule and it appearing to the Court that the plaintiff in error has failed to, heretofore cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in the cause to the District Court of the United States for the District of Maryland be and the same is hereby docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

(Per M. Chief Justice Fuller.)

No. 3. Buz Lucey, Affin Error, vs. The United States.
No. 4. Thos. A. Davenport, Affin Error, vs. The United States.

On motion of M. Solicitor General Conrad, leave is granted to withdraw

Monday, February 3d, 1896. Continued.

granted the Clerk to issue the mandate in these cases.

135. The United States, Appellant, vs. The State of New York.
136. The State of New York, Appellant vs. The United States.

On motion of Mr. David B. Hill, of counsel for The State of New York leave is hereby granted, the Clerk to issue the mandate in these cases.

The Quaker City National Bank, vs. Hoffman, Nolan County.

The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on a printed argument by Mr. J. J. Dallo, in support of the same.

The United States, Appellant, vs. Joshua Gorham.

Mr. John Wharton Clark, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.)

575. The State of Missouri ex rel: Ad to the use of Thomas J. Pilley, relator, pl. Plff in Error, vs. James A. Mower, Judge of Division No. 2 of the Circuit Court of the 24th Judicial Circuit in and for Jackson County in the State of Missouri. } In Error to the Supreme Court of the State of Missouri.

It appearing to the Court that an authority of counsel, for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(See Mr. Chief Justice Fuller.)

576. The State of Missouri ex rel: Thomas J. Pilley, relator, pl. Plff in Error, vs. James A. Mower, Judge of Division No. 2 of the Circuit Court of Jackson County. } In Error to the Supreme Court of the State of Missouri.

It appearing to the Court that an authority of counsel, for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(See Mr. Chief Justice Fuller.)

Monday, February 3d, 1896. Continued.

The United States ex rel:
Charles D. Long,
vs. } Plff in Error,
William Lochren, Commissioner
of Pensions.

The argument of this cause was continued by Mr. Assistant Attorney General Whitney of counsel for the defendant in error, and concluded by Mr. James C. Carter, of counsel for the plaintiff in error.

Mattie P. Ballzer, Executrix, et al.,
vs. } Plffs in Error,
The State of North Carolina.

52. and

Mattie P. Ballzer, Executrix, et al.,
vs. } Plffs in Error,
The State of North Carolina.

The argument of these cases was commenced by Mr. Simon Sterne, of counsel for the plaintiffs in error, and continued by Mr. J. E. Shepherd, of counsel for the defendant in error.

Proclamation being made the Court was adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf, by Mr. C. A. Davis it is ordered that H. H. Jenkins, Esquire, of Chippewa Falls State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was thereupon sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Hugh L. Burnham, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible]

Tuesday, February 11th, 1908. Continued.

Cohen, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lochren it is ordered that Monnett B. Frost, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles S. Voorhees it is ordered that William A. Doolittle, Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. The United States, Plff in Error, vs. Andrew A. Gay.
No. The United States, Plff in Error, vs. Real Realty Co.

On motion of Mr. Solicitor General Conrad, of Counsel for the Plaintiff in Error, it is ordered by the Court that these cases be, and they are hereby re-assigned for argument on the third Monday of March next, after the

No. 804. The Steamer "Coquitlam" &c., vs. A. Collins, The United States

Mr. Solicitor General Conrad, of Counsel for the appellee, submitted to the Consideration of the Court a motion to advance this cause

William Graver, Appellant,
vs.
Benjamin C. Faucett

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert Rae of counsel for the appellant, and Mr. Fawcett Heden of counsel for the appellee.

Mattie V. Baltzer Executrix, etal,
vs.
The State of North Carolina
vs.
Mattie V. Baltzer, Executrix, etal,
vs.
Heirs of North Carolina

The argument of these cases was continued by Mr. J. E. Shepherd and Mr. C. M. Busbee of counsel for the defendant in error, and concluded by Mr. Simon Stone, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday March 3d next at twelve o'clock.

Monday, March 2d, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. C. VanVoorhis it is ordered that Charles M. Leland, Esquire, of Caldwell, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly

On motion first made to the Court in this behalf by Mr. John Dalzell it is ordered that John S. Ferguson, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly

On motion first made to the Court in this behalf

On M. J. Johnson it is ordered that Hamilton D. McBurney Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

The Bank of Commerce and James A. Emery vs. Memphis Branch

In Error to the Supreme Court of the State of Tennessee

The State of Tennessee for the use of the City of Memphis

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that so much of the judgment of the said Supreme Court in this Cause as is against the Shareholders be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

See Mr Justice Catron's

The Bank of Commerce and James A. Emery vs. Memphis Branch

In Error to the Supreme Court of the State of Tennessee

The State of Tennessee for the use of the County of Shelby

This cause came on to be heard on the transcript of the

the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

(per Mr. Justice Gray)

The County of Shelby, The City of Memphis, W. B. Mendenhall et al.,
vs. Appellants,
The Union and Planters Bank.

Appeal from the Circuit Court of the United States for the Western District of Tennessee.

No. 66.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to dismiss the bill with costs.

(per Mr. Justice Gray)

Dissenting:

676. The Mercantile Bank and C. H. Raine, Plffs in Error, vs. The State of Tennessee for the use of The City of Memphis, In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Justice Peckham.

677. The Mercantile Bank and C. H. Raine, Plffs in Error, vs. The State of Tennessee and The County of Shelby, In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and interest,

similar judgments been in the Courts of the State of Tennessee.

(per Mr. Justice Peckham)

The Phoenix Fire & Marine Insurance Company of Memphis, Tennessee and John Johnson,

vs. } In Error to the Supreme Court of the State of Tennessee.

The State of Tennessee for the use of The City of Memphis

269.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

(per Mr. Justice Peckham)

Dissenting:
Mr. Justice White

The Memphis City Bank, James Frost and Fred. Fowler,

vs. } In Error to the Supreme Court of the State of Tennessee.

The State of Tennessee for the use of the City of Memphis

274.

This cause came on to be heard on the transcript of

the record from the Supreme Court of the State of Tennessee and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Justice Peckham.

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675. The Memphis City Bank and James Frost, Plffs in Error, vs. The State of Tennessee and The County of Shelby.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Justice Peckham.

Monday, March 22, 1880. Continued

675. The Hanleis Fire & Marine Insurance Company v. F. B. Hunter, Jr. et al. Assignment Error to the Supreme Court of the State of Tennessee.

The State of Tennessee for the use of The City of Memphis

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Justice Woodruff

676. The Hanleis Fire & Marine Insurance Company and F. B. Hunter, Jr. et al. v. Assignment Error to the Supreme Court of the State of Tennessee.

The State of Tennessee and The County of Shelby.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with

costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Justice Peckham.

No. 673. The Home Insurance Co. and Trust Company and Wm. F. Price, Plffs in Error, v. The State of Tennessee for the use of The City of Memphis.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

Per Mr. Justice Peckham.

No. 673. The Home Insurance Co. and Trust Company and Wm. F. Price, Plffs in Error, v. The State of Tennessee and the County of Shelby.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of

Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments have in the Courts of the State of Tennessee.

Per Mr. Justice Peckham

No. 139. Jane Lynch, Appellant, vs. John Henry Murphy, sole devisee and Executor of Theodosia Murphy, deceased, et al.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in General Term in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice White

Mr. Justice Brewer, not having heard the argument, took no part in the decision of this cause.)

No. The Washington Ice Light Company vs. Commissioners, The District of Columbia. In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras

No. 415. Charles Davis, vs. The Union Savings Bank. In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Court of Appeals with instructions to remand the case to the Court in which it originated with directions to proceed therein in conformity with the opinion of this Court.

Per Mr. Justice White.

Monday, March 2d, 1896, Continued

87. Edgar M. Green, Plaintiff in Error, vs. The State of Connecticut. In Error to the Supreme Court of Errors of the State of Connecticut.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Field and Mr. Justice Harlan.

Mr. Justice Brewer and Mr. Justice Peckham not having heard the argument, took no part in the decision of this cause.

55. Harvey Spalding, Simeon N. Spalding, Edwin H. Spalding, Joseph C. Johnson, Executors, etc., Appellants, vs. George Mason. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

the same is hereby modified by providing that of the principal sum due $8,934.05 shall bear interest from August 4, 1887, and $4,735.06 shall bear interest from August 12, 1888 and, as thus modified, that said judgment be, and the same is, hereby, affirmed with costs.

Per Mr. Justice White.

Dissenting:
Mr. Justice Gray.

No. 1 Theodore Haneen, Plff in Error, vs. James E. Boyd et al. Defendants

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by Counsel. On consideration whereof, it is now here ordered by this Court that if the defendants in error will within a reasonable time during the present term of this Court file in the Circuit Court of the United States for the District of Minnesota a remittitur of the amount of the loss on the purchase and sale of the June lot (1/3rd) the commission charged in that transaction ($50) and interest on those items from June 5, 1889, to the date of the verdict, and shall and file a certified copy thereof in this Court the judgment less the amount so remitted, will be,

Monday, March 21. Appeal dismissed with costs.

will be reversed. In either event the costs must be paid by the defendants in error.

Per Mr. Justice

(Mr. Justice Lamar not having heard the argument, took no part in the decision.)

Mattie P. Ballzer and Ernest V. Ballzer, Executrix and Executor of Neuman R. Ballzer, deceased, vs. Plffs in Error

The State of North Carolina

In Error to the Supreme Court of the State of North Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice

Mattie P. Ballzer and Ernest V. Ballzer, Executrix and Executor of Neuman R. Ballzer, deceased, and Johanna Faux, Executrix of William H. Faux, deceased, Plffs in Error,

The State of North Carolina

In Error to the Supreme Court of the State of North Carolina

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina and was argued by Counsel

consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

No. 58. Frank H. Smith, James E. Stoughton & Ernest Bryant, composing and doing business under the firm-name of Smith, Stoughton & Bryant, Appellants, v. London McKay, as Trustee for the McKay Sewing Machine Association. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice White.

No. 116. George H. Corliss, Appellant, v. Isaac L. Blunt, Trustee, James Bryan and Julius Lindenberger. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration

Monday, March 22, 1897. Continued.

ation thereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice [illegible]

510. Luther R. Graves, Jr. Wesson and William Burgoigne, Appellants, vs. County of Sedgwick. On certificate, from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals, for the Seventh Circuit, and was argued by counsel. On consideration whereof it is the opinion of this Court that the second question certified must be answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice [illegible]

542. The St. Louis & San Francisco Railway Company, Plff in Error, vs. [illegible]. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, it is the opinion

of this Court that the second question certified, must be answered in the negative. Whereupon, It is now here ordered by this Court that it be, so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.

370 The Steamship "Delaware," her Engines &c., Thomas Thomas, Claimant, Appellant, vs. Charles M. Pennell et al. } Appeal from the United States Circuit Court of Appeals for the Second Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed, by this Court that the decree of the said United States Circuit Court of Appeals in this cause, and the same is hereby, affirmed with costs; and that this cause, and the same is hereby, remanded to the District Court of the United States for the Eastern District of New York.

Per Mr. Justice Brown.

Monday, March 20, 1893.

The Steamship "Delaware," her engines &c., Thomas Thomas, Claimant &c. vs. Appellant, Charles M. Bennett et al. Appeal from the United States Circuit Court of Appeals for the [illegible]

555.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel. On consideration whereof, it is now here ordered by the Court that this case be, and the same is hereby, dismissed from the docket.

Per Mr. Justice [illegible]

A. J. Schroeder and Mary P. Schroeder his wife, vs. Appellants, John M. Young. Appeal from the Supreme Court of the Territory of Utah.

556.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, it is now here ordered adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby remanded to the Supreme Court of the State of Utah.

Per Mr. Justice [illegible]

611. Robert M. Douglas, Plff in Error, vs. Isaac Wallace, David Wallace, Jacob Wallace and William Wallace, Partners under the firm Style of Wallace Brothers. In Error to the Supreme Court of the State of North Carolina.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this Cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brown.

352. Samuel Marks, Hyman Hollenberg and Wm. J. Hideman, Partners as Marks & Hollenberg, vs. Appellants, The United States and The Shawnee and Pute Tribes or Nations of Indians. Appeal from the Court of Claims.

This Cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby, affirmed.

Per Mr. Justice Brown.

413. Alvin C. Leighton, Appellant, vs. The United States et al. } Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Miller.

628. John H. Durland, Plaintiff in Error, vs. The United States. } In Error to the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Strong.

529. John H. Durland, Plaintiff in Error, vs. The United States. } In Error to the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript

of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is, hereby, affirmed.

(per Mr. Justice Brewer.)

Ex parte. In the matter of George H. Smith, Petitioner. On consideration of the petition for a writ of mandamus herein and of the argument of Counsel thereupon had, as well, in support of the same as against the same, It is now here ordered by the Court that the said petition be and the same is hereby denied.

(per Mr. Justice Gray.)

Charles B. Harrison, William W. Frazier, Alfred C. Harrison, William H. Harrison and Mitchell Harrison, co-partners, trading under the firm-name of Harrison, Frazier & Co., Plaintiffs in Error, vs. Hermann Fortlage, August Mollmann and Robert Meslin, partners, under the firm-name of A. Tesdorpf & Co. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript

States for the Eastern District of Pennsylvania, and was argued by Counsel. Upon consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

Per Mr. Justice Field.

Amanda H. France, Plff in Error,
vs.
John H. Conner and William R. Brown. } In Error to the Supreme Court of the State of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wyoming, and was argued by Counsel. Upon consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Swayne.

No. 141. Joseph F. Hamilton, Pltff in Error,
and Walter B. Hamilton, Def't,
vs.
J. F. Bacon et als. } In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Western District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Gray.

171. Thomas Bell, Appellant, v. Julia F. Halsell, Executrix of J. G. Halsell, deceased. } In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Gray.

608. Charles Smith, Plaintiff in Error, v. The United States. } In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof,

Monday, March 24, 1890. Continued

It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

Per Mr. Justice Gray.

783. The United States, Appellant, vs. Jane L. Stanford, Executrix of Leland Stanford, deceased. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Northern District of California.

Per Mr. Justice Harlan.

51 Harvey Spalding
vs.
William F. Wells.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

(per Mr. Justice Nelson.)

52 Harvey Spalding
vs.
Dan'l Dickinson

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice Nelson.)

Tyl. The United States
vs.
Simon Snyder & William Smith.

In Error to the District Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript

of the record from the District Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed, and that this cause be, and the same is hereby remanded to the said District Court with directions to set aside the verdict and judgment and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Shiras

509. The City of Evansville, Appellant, vs. William D. Bennett. On certificate from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by Counsel. On consideration whereof, it is the opinion of this Court that the first, second, fourth questions must be answered in the negative and the third in the affirmative, and the first clause of the fifth question in the negative and the second clause in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Shiras

Order.

The Reporter having represented that owing to the number of decisions at the term it will be impracticable to put the reports in one volume, it is therefore now here ordered that he publish an additional volume in this year pursuant to Section 681 of the Revised Statutes.

Per Mr. Chief Justice Waite.

1875. The United States, Appellant, vs. Joshua Jenkins. } On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

1875. The United States, Appellant, vs. The American Bell Telephone Company, Appellee. } On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Waite.

The Quaker City National Bank,
vs. Appellee,
Nelson County.

No. 935. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice Fuller.

The Board of Flour Inspectors for the Port of New Orleans, et al.,
Appellants,
vs.
Booth & Flower & al.

No. 87. Ordered by the Court that the cause be entered herein on December 9th 1895, dismissing this appeal with costs, and the same is hereby accordingly

Per Mr. Chief Justice Fuller.

The Board of Flour Inspectors for the Port of New Orleans, et al.,
vs. Appellants,
Booth & Flower & Factorage & J. Oliendahl composing the firm of Flower & Oliendahl, et al.

No. 88. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

Court for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed, with costs to either party. And that this cause be, and the same is hereby, remanded to the said Circuit Court with instruction to dismiss the bill.

Per Mr. Chief Justice Fuller.

William Beebe et al., heirs at law and H. C. Hallett, Administrator, of Eugene Beebe, deceased, Jane Phillips and Adeline Bernard, Appellants in Error, vs. The United States. In Error to the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller.

Mr. Justice Gray, who was not present at the argument, and Mr. Justice Peckham, who was not then a member of the Court, took no part in the decision of this case.

Monday, March 2d, 1896, Continued

135. The District of Columbia, In Error to the Supreme
vs. Court of the District of
Isaac S. Lyon. Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

Per Mr. Chief Justice Fuller

271. The Union Pacific Railway Company, In Error to the United
vs. States Circuit Court
Anna Callaghan, Administratrix of Appeals for the
of James Callaghan, deceased Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motions to dismiss or affirm which were argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed, with costs; and that this cause be

is hereby remanded to the Circuit Court of the United States for the District of Colorado.

Per Mr. Chief Justice Fuller.

William M. Fishback et al., Appellants, vs. The Western Union Telegraph Company. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with a direction to dismiss the suit for want of jurisdiction.

Per Mr. Chief Justice Fuller.

342. William M. Fishback et al., Appellants, vs. The Pacific Express Company. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and

decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court with instruction to dismiss the suit for want of jurisdiction.

Per Mr. Chief Justice

Santiago Ainsa, Administrator with the will annexed of Frank Ely, deceased, et al., Appellants, vs. The United States. } Appeal from the Court of Private Land Claims

This cause came on to be heard on the transcript of the record from the Court of Private Land Claims and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Private Land Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Fuller

(Mr. Justice Peckham was not a member of the Court at the time this case was argued and took no part in its decision.)

642. Stephen M. Carey et al., Appellants, vs. The Houston & Texas Central Railway Company et al. } Appeal from the United States Circuit Court of Appeals for the Fifth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was

to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Mr. Justice Peckham was not a member of the Court when this motion was submitted and took no part in its disposition.)

769. Caleb H. Dunham, Appellant, vs. John S. Seymour, Commissioner of Patents. Appeal from the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

1311. Charles H. Ness (Pltf in Error) vs. The United States.
1316. George M. Elwood et al. (Pltffs in Error) vs. The United States.
1365. James B. Wilson, (Pltf in Error) vs. The United States.
1384. George H. Wilson, (Pltf in Error) vs. The United States.
761. Enoch H. Agnew (Pltf in Error) vs. The United States.

Mr. Solicitor General Conrad, of counsel, for the defendant in error, submitted to the con-

Monday, March 24, 1890. Continued

Consideration of the Court motions to dismiss

Santiago Rivera, Admr &c.,
vs. Appellant,
350. The New Mexico & Arizona R.R. Co.

On motion of Mr. Solicitor General Conrad leave is hereby granted the United States to file a motion for leave to intervene herein

Rose L. Sattenstall Executrix &c.,
588. vs. Plff in Error,
Joseph Bosworth,

On motion of Mr. Assistant Attorney General Whitney, of Counsel for the plaintiffs in error, it is ordered by the Court that this cause be, and the same is hereby re-assigned for argument on the 23d instant.

On motion of Mr. A. E. Dennaine leave is hereby granted him to file a printed Brief herein on behalf of certain intervenors herein.

John M. Mueller et al,
vs. Plffs in Error,
No. John Dreher.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on printed arguments by Samuel Shellabarger and Mr. J. M. Wilson, in support of the same, and Mr. H. P. Hubbard in opposition thereto.

The Clinton Insurance Co., Limited, et al., Appellants, v. John MacIntyre, Jr. et al. (Ky.)

757. John MacIntyre, Jr. et al., Appellants, v. The Clinton Insurance Co., Limited, et al.

Mr. George Bonnell, of counsel for the Insurance Co. et al., submitted to the consideration of the Court a motion to

758. advance [illegible]

Samuel Mitchell Barber et al., Plffs. in Error, v. The Pittsburg, Fort Wayne & Chicago Railway Company et al.

585. The petitions for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit were severally submitted to the consideration of the Court on printed arguments by Mr. John S. Ferguson, for the plaintiffs in error, and Mr. R. P. Watson, for the defendants in error, in support of the same.

Mr. John S. Ferguson also submitted to the consideration of the Court a motion to advance [illegible]

Ex parte: In the matter of C. & A. Potts & Co., Petitioners.

Mr. Ernest H. Bradford, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein

Monday, March 7th, 1892. Continued.

130. Fenton P. Keith, Appellant, vs. Fred A. Rice et al. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. John L. Minter, Mr. A. N. Garland and Mr. R. C. Garland, in support of the same and Mr. Henry F. Ring, in opposition thereto.

718. James Murray, alias "Jerry" "Jim" Appellant, vs. The State of Louisiana. In Error, Mr. Alexander Porter Morse, of counsel for the defendant in error submitted to the consideration of the Court a motion to advance this cause.

713. The United States ex rel: Rudolph Deimel, Appellant, vs. John H. Arnold, Col. Marshal. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. Hiram T. Gilbert, in support of the same, and Mr. Leon Mayer, in opposition thereto.

45. The United States, Appellant, vs. The State of Wisconsin.
130. The State of New York, Appellant, vs. The United States.
Mr. David B. Hill, of counsel for the State

of New York submitted to the consideration of the Court a motion to reform the judgment of this Court in this

Adolph Krug,
vs. Pltff in Error.
The State of Washington

Mr. Joseph Millington, of Counsel for the defendant in error, having filed in open Court the following certificate, to wit:

Supreme Court of the State of Washington.

I, C. S. Reinhart, Clerk of the Supreme Court of the State of Washington, do hereby certify that in a certain cause pending in said Court wherein The State of Washington was plaintiff and respondent and Adolph Krug was defendant and appellant a final judgment was rendered by said Court on the 7th day of September, A.D. 1895, in favor of the said State of Washington, and against the said Adolph Krug, and that on the 12th day of September A.D. 1895, said Adolph Krug duly sued out a writ of error to said Supreme Court, directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court of the State of Washington at Olympia in said State this 12th day of February, A.D. 1896.

C. S. Reinhart, Clerk.

moved the Court to docket and dismiss this cause

pursuant to the 9th rule; and it appearing to the Court that the plaintiff in error has failed to have his cause docketed and prosecuted in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Washington be, and the same is hereby dismissed and dismissed with costs; And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

131. Joshua M. Shuham, Assignee, &c. vs. Affirmed.
Alpheus Bullard.

This cause was submitted to the consideration of the Court, pursuant to the order of January 13 1896, on the record and printed arguments by Mr. Edward [illegible] of counsel for the plaintiff in error, and Mr. Leon Mellick, of counsel for the defendant in error.

621. The Mayor &c. of the City of Augusta vs. Affirmed.
Henry W. Revell et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. John P. Poe, in support of the same, and Mr. William Pinkney White, in opposition thereto.

786 Henry C. Rouse, Receiver &c., vs. Cliff in Error, John E. Hornsby

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Nelson Carse, in support of the same, and Mr. James Hagerman and Mr. P. M. Sedgwick, in opposition thereto.

551. Shin Yuen Sing, Appellant, vs. James T. Kilbreth, Collector of the Port of New York

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

792. Rufus Buck et al., vs. The United States

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Richardson, of counsel for the defendants in error. No argument appeared for the plaintiffs in error.

Monday, March 24, 1930, continued

731. Jerry Wallace vs. The United States. This cause was submitted to the Court on the record and a printed argument by Mr. Solicitor General Thomas D. Thacher for the defendant in error with leave to counsel for the plaintiff in error to file a printed argument within 30 days.

462. Count Joseph Felfner vs. George A. Rives. Reargument of this cause commenced by Mr. Andrew Hecht Kent, of counsel for the plaintiff in error, and continued by Mr. Clarence K. Miller, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock noon.

Monday, March 24, 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras
Edward D. White,
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion duly made to the Court in this behalf by Mr. Alexander Britton it is ordered that L. Steward Bacon, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 1. The Nat. ex rel. Rudolph Deimel, Appellant, vs. John H. Arnold, Ex Marshal.

On motion of Mr. H. S. Bright, in behalf of counsel, leave is hereby granted, counsel for the appellant to file a brief in reply herein two weeks before Monday next.

537. Alex. A. Crain, Pl'ff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. A. H. Garland and Mr. R. C. Ireland, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

778. John Matthews, Pl'ff in Error, vs. The United States. This cause was submitted to the consideration of the Court on the record and printed argument by Mr. H. J. Townsend and Mr. Charles A. Keiser, of counsel for the plaintiff in error and appellant, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error and appellee.

1162. Count Joseph Telfener, Pl'ff in Error, vs. George W. Rives. Reargument of this cause was continued by Mr. Clarence A. Miller and Mr. Joseph Wheeler, of counsel for the defendant in error. Concluded by Mr. J. L. Tinker, of counsel for the plaintiff in error.

652. Caroline Southworth, Executrix &c., Appellant, vs. The United States. This cause was argued by Mr. George A. King and Mr. Louis Marbury

of counsel for the appellant, and submitted on a printed argument by Mr. Assistant Attorney General Dibley, of counsel for the appellee.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Wednesday November 8th 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.
Edward D. White.
Rufus W. Peckham.

John M. Wright, Esquire, Marshal,
Solomon [illegible] Messenger.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr. E. B. Whitney it is ordered that Benno Levinson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was thereupon conducted to the

Ed. Nickerson alias Ned Davis, Plff in Error,
vs.
The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Dickinson, of Counsel for the defendant in error. No Counsel appeared for the plaintiff

553	St. Albert, alias Charles Burns, vs. Plff in Error,	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William M. Evarts, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Hunt, of counsel for the defendant in error.
	The Missouri Pacific Railway Company vs. Plff in Error, The State of Nebraska ex rel. The Board of Transportation of the State of Nebraska,	This cause was argued by Mr. John F. Dillon, of counsel for the plaintiff in error, and Mr. A. J. Churchill, of counsel for the defendant in error.
685.	A. J. Churchill, Attorney General, et al., vs. Appellants. River Amendt.	The argument of these cases was commenced by Mr. John L. Wesler, of counsel for the appellants.
686.	A. J. Churchill, Attorney General, et al., vs. Appellants. George Smith et al	
687.	A. J. Churchill, Attorney General, et al., vs. Appellants, Mining & Mayor, et al	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 5th, 1892

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made, the Court is opened.

On motion filed and made to the Court in this behalf by Mr. John M. Palmer it is ordered that William D. Forrest, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was thereupon duly

A. S. Churchill, Attorney General, et al.,
685. vs. Appellants,
Oliver Meacham.

Reargument of these cases was continued by Mr. J. M. Woolworth and Mr. James C. Carter, of counsel for the appellees, and concluded by Mr. John [illegible]

A. S. Churchill, Attorney General, et al.,
686. vs. Appellants,
George Smith et al.

A. S. Churchill, Attorney General, et al.,
687. vs. Appellants,
Henry L. Higginson et al.

116 Thursday, March 28th, 1850. Williams &

Melvin, of counsel for the respondents.

501. Francis A. Griffin, } Reargument of this
vs. } cause was commenced
The United States. } by Mr. H. A. Miller,
of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Monday, March 6th, 1893

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John Marshall Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.,

462. Count Joseph Pelleneau vs. Albert Rice
On motion of Wm. Joseph Wheeler, of counsel for the defendant in error, leave is hereby granted him to file an additional brief herein, and leave granted counsel for the plaintiff in error to file a reply thereto within one week.

25. Albert Rice et al., vs. Elijah Adkins
On motion of Wm. John Fallon, of counsel for the plaintiffs in error, it is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Francis A. Cossitt
vs. Appeal
The United States

The argument of this cause was continued by Jno. H. A. Miller, of counsel for the plaintiff in error and Mr. Solicitor General Conrad, of counsel for the defendant in error, and concluded by Mr. S. Hunter, of counsel for the plaintiff in error.

George H. Post
vs. Appeal
The United States

The argument of this cause was commenced by Mr. J. K. Redington, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 9th 1891

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan,
Horace Gray,
Samuel F. Blatchford,
Henry B. Brown,
George Shiras, Jr.
Howard D. Wallace
Rufus W. Peckham,

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Sol. M. Cockrell it is ordered that William G. Scott, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly

On motion first made to the Court in this behalf by Mr. John F. Lacey it is ordered that Charles B. Keeler and Richard H. Mayer, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were accordingly

On motion first made to the Court by

Mr. Henry M. Teller is ordered that John T. Shaboth Milton Smith and Ephraim L. Williams, Esquires of Denver, State of Colorado be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

567. Dan. H. Sievenpiper, Plaintiff in Error, v. The United States. In Error to the District Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said District Court with directions to set aside the verdict and award a new trial.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan.
Mr. Justice Gray.
Mr. Justice Brown.
Mr. Justice White.

The Raven Gold Mining Company, Appellant vs. The Miners Union of the Town of Altman et al

Appeal from the Circuit Court of the United States for the District of Colorado

34.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof it is now ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

573. Warren F. Putnam, Plff in Error, vs. The United States.

574. Warren F. Putnam, Plff in Error vs. The United States.

It is ordered by the Court that the mandates in these cases be, and they are hereby stayed, and counsel are allowed to file briefs within ten days on the questions (1) whether there was any error in respect of the testimony taken before the grand jury; and (2) whether there was any want of jurisdiction on the part of

Per Mr. Chief Justice Fuller

45. The United States, Appellant, vs. The State of New York.

36. The State of New York, Appellant, vs. The United States.

On consideration of the motion to reform the judgment in these cases. It is now

denied by the Court that said motion be, and the same is hereby, denied, without prejudice to an application in the Court of Claims in respect of the matter in question.

Per Mr. Chief Justice Fuller.

621. The Mayor etc. of the City of Annapolis, vs. Riffe in Error, Henry M. Revell et al.

On consideration of the motion to dismiss in this cause, and of the argument of Counsel thereupon had, as well in support of as against the same,

It is now here ordered by the Court that said motion be, and the same is hereby, denied, for the want of a printed Record.

Per Mr. Chief Justice Fuller.

715. James Murray, alias "Jimmy" Murray, vs. Riffe in Error, The State of Louisiana.

On consideration of the motion to advance this Cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the first Monday of May next.

Per Mr. Chief Justice Fuller.

757. The Canton Insurance Company, Limited, et al., vs. Appellants, John Woodside et al.

On consideration of the motion to advance this

Monday, March 9th, 1903, Continued.

577. John MacIntyre Jr. et al. vs. Appellants
The Clinton Insurance Company, Limited, et al.

It is ordered by the Court that said motion be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

30. Frederic P. Wolff, vs. Appellant
Fred. A. Rice & H. Hanes, William C. Olive et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

In consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel thereupon had as well in support thereof as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

34. Charles H. Akers, Plff in Error, vs. The United States.
46. George M. Elroy et al. Plffs in Error, vs. The United States.
65. James B. Wilson, Plff in Error, vs. The United States.
91. Enoch H. Agnew, Plff in Error, vs. The United States.

In consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

George H. Stokes, Appellant, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the first Monday in April next after the cause heretofore assigned for that day. (Per Mr. Chief Justice Fuller.)

913. The United States ex rel. Rudolph Reimel, Appellant, vs. John H. Arnold et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied. (Per Mr. Chief Justice Fuller.)

916. John M. Mack and E. B. Rowe, Appellants, vs. John Forbes. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals

Monday, March 9th, 1896

for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

Ex parte: In the Matter of C. & A. Potts & Co., Petitioners. On consideration of the motion for leave to file a petition for a writ of mandamus herein, it is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

No. 192. Rufus Buck, Lewis Davis, Lucky Davis, Sam Sampson and Minona July, vs. Riffin Sinor, The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgments of the said Circuit Court in this cause be, and the same are hereby affirmed.

Per Mr. Chief Justice Fuller.

Ed. Hilsey, plaintiff in Error,
vs.
The United States.

In Error to the Circuit Court of the United States for the Western District of Arkansas.

No. 169.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, Affirmed.

Per Mr. Chief Justice Fuller.

The Union Pacific Railway Company,
vs.
Thomas O'Brien.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

No. 169.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District aforesaid.

Per Mr. Chief Justice Fuller.

Mr. Justice Brewer and Mr. Justice Peckham

Monday, March 7th 1870. Adjourned &c.

No. 2 in the Consideration and decision of this Cause.)

George H. Howland, Samuel Tibbetts
vs. Plffs in Error,
The United States

From the District Court of the United States for the Western District of Pennsylvania

This Cause having been called to the attention of the Court by Mr. Solicitor General counsel for the defendant in error, and in the absence of counsel for the plaintiffs in error to dismiss the writ of error in this Cause for want of prosecution. Therefore in pursuance of said authority, This now here ordered and adjudged by this Court that the writ of error in this Cause be and the same is hereby, dismissed.

(Per Mr. Chief Justice Waite)

6 J. The United States, Appt, vs. The Union Pacific Railway Co. et al.
7 J. The United States, Appt, vs. The Kansas & St. Peter R. R. Co. et al.
723. The United States, Appt, vs. The St. Paul & Pacific R. R. Co. et al.
724. Sandy White, Plff in Error, vs. The United States

Mr. Solicitor General submitted to the consideration of the Court motions to dismiss these Cases.

The Southern Pacific R. R. Co. et al, Appellants,
vs.
The United States.

On motion of Mr. Assistant Attorney General Peckham of Counsel for the

appellee. It is ordered by the Court that the same be and the same is hereby re-assigned for argument on the third Monday of April next.

The Central Railroad & Banking Company of Georgia, et al., vs. Appellants, William A. Wright, Comptroller General of the State of Georgia.) 655. M. J. McDonell, of counsel for the appellee submitted to the consideration of the Court a motion to advance this cause.)

The Hartford Fire Insurance Company et al. vs. Plff in Error The Chicago, Milwaukee & St. Paul Railway Company 576. The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. R. M. Barger and Mr. Charles A. Clark in support of the same, and Mr. Charles B. Keeler in opposition thereto.

Nathaniel P. Bacon Admr., Appellant, vs. The Steamer Greenwood et al. 535. The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on printed arguments by Mr. J. Rodman Paul and Mr. Theodore [illegible]

Monday, March 9th, 1896. Continued.

Flanders and Mr. Edward F. Pugh in opposition thereto.

163. Martha Baumitz vs. Appellee, John L. Beverly — Mr. H. A. Scott of counsel, for the defendant in error submitted to the consideration of the Court a motion to create the Order for the submission of this cause and for leave to argue the same orally.

227. Bob Fallon, vs. Appellant, Nash. D. Mayer, High Sheriff &c. — The suggestion of diminution of the record and motion for a writ of certiorari in this cause was submitted to the consideration of the Court on printed arguments by Mr. W. H. Garland and Mr. R. C. Gardner in support of the same, and Mr. E. T. Brookstier and Mr. L. D. Farrell, in opposition thereto.

741. Margaret A. Muse et al., vs. Appellees, The Arlington Hotel Company. — Motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. W. M. Rose and Mr. G. B. Rose in support of the same and Mr. Walter D. Davidge, Mr. C. J. Boulware and Mr. James L. Pugh Jr., in opposition thereto.

756. A. A. Harwood, Appellant, vs. A. Wentworth. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William A. Barnes, of Counsel for the appellant and Mr. A. Harwood, in person for himself.

Do. A. C. Nowe, Receiver &c. vs. Jeffris Dean, Wm. D. Lafayette et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Hagerman, Mr. C. L. Hudson and Mr. J. M. Bryson, of counsel for the plaintiff in error, and Mr. H. P. Hutchings, of counsel for the defendants in error.

639 George H. Cook, vs. Jeffris Dean, The United States. The argument of this cause, was continued by Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error and concluded by Mr. J. K. Pelington, of counsel for the plaintiff in error.

681 John Stevenson, vs. Jeffris Dean, The United States. This cause was argued by Mr. Fred. Beall, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error.

Monday, March 9th, 1846 Continued

Thos Woodruff, Ruslee, Chal. } Reargument
vs } of the Cause,
The State of Mississippi } was commenced by Mr. Lawrence Maxwell Jr. of Counsel for the Plaintiff in Error

(Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, March 10th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field,
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. H. Dudley it is ordered that Lemuel Monroe Enterline, Esquire of Tolleville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Timothy M. Griffing, Esquire, of Riverhead, State of New York be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

Monday, March 10th, 1890. Continued

402. The International Trust Co. of the City of Denver, Colorado, Appellant, vs. The Norwich Union Fire Insurance Society.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the Court on printed arguments by Mr. Sylvester C. Williams, Mr. E. N. Wells and Mr. M. F. Taylor in support of the same, and Messrs. Bennett and Mr. N. P. N. Robinson in opposition thereto.

406. The Insurance Company of North America, vs. The International Trust Co.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the Court on printed arguments by Mr. Sylvester C. Williams, Mr. E. N. Wells and Mr. M. F. Taylor, in support of the same, and Mr. Henry Bennett and Mr. N. P. N. Robinson in opposition thereto.

423. The Sun Insurance Office of London, England, vs. The International Trust Co. of Denver, Colorado.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit

were submitted to the consideration of the Court on printed arguments by Mr. Milton Smith, Mr. P. V. O'Donnell, and Mr. A. D. Decker in support of the same, and Mr. Henry Wise Garnett and Mr. N. T. H. Robinson, in opposition thereto.

The Central Pacific Railroad Company, Plff in Error, vs. The Board of Supervisors of Washoe County.

In Error to the Supreme Court of Appeals of the State of Virginia

No. 117.

This cause having been called to the attention of the Court by Mr. William A. Maury, of Counsel for the Plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

William H. Ford et al., Appellants, vs. The Delta & Pine Land Co.

On motion of Mr. Josiah Patterson, in behalf of Counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Rule 30.

No. 176.

Tuesday March 11th 1828 Continued.

13. Thos Woodruff Trustee &c. Pl. in Error, vs. The State of Maryland Defendant in Error. Argument of this Cause was Continued by Mr. Laurence Maxwell Jr. of Counsel for the Plaintiffs in Error and Mr. Evan Johnston and Mr. J. Nelson of Counsel for the defendants in error, and concluded by Mr. Attorney Berrien of Counsel for the plaintiffs in error.

87 Elenor Campbell vs. Georgetown Pl. in Error. Argument of this Cause was Commenced by Mr. Walter D. Dunridge of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray — Associate
Henry B. Brown — Justices
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Arthur Brown it is ordered that Ernest Grant Rognon, Esquire, of Salt Lake City, State of Utah be admitted to practice as an attorney and counsellor of this Court and the oath as prescribed by law was

Elena Campbell, Plaintiff in Error,
vs. No. 137. In Error to the Supreme Court of the State of Montana.

The argument of this cause was continued, by Mr. Walter D. Davidge, of counsel for the plaintiff in error, and Mr. Chapin Brown, of counsel for the defendants in error, and concluded by Mr. Walter D. Davidge, of counsel for the plaintiff in error.

Wednesday, March 7th, 1838

Mr. John H. Hand, Sheriff &c. vs. Appellant

The argument of this cause was commenced by Mr. Benjamin F. Fowler, of Counsel for the appellant, and continued by Mr. Attorney General Harmon, of Counsel for the appellee

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert Lee it is ordered that Frank K. Dupee, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon, it is ordered that Joseph H. Bailey, Esquire, of Paineville, State of, Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Thursday, March 17th, 1892. Continued.

Linus Eggnie, of New Orleans, State of Louisiana, be admitted to practice as attorney and counsellor of this Court and he was accordingly

No 3. Martha Brenitz vs. Plffs in Error
John L Beverly

On motion of Mr. A. J. Scott, of counsel for the defendant in error, leave is hereby granted him to file an affidavit herein in reply to those filed by the plaintiff in error

No 54. Mary B. Campbell, Administratrix of James D. Campbell, deceased, William Henry Present and William C. Cole vs. Plffs in Error
J. E. Williams

On motion to dismiss for want of jurisdiction

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

VII. John H. Reid, Sheriff &c. vs. Appellant. New Mexico

Reargument of this cause was continued by Mr. Attorney General Harmon, of counsel, for the appellee and concluded by Mr. Hillis, Van Devanter, of counsel for the appellant.

VIII. The Wisconsin Central R.R. Co. vs. Appellant. The United States

This cause was argued by Mr. Louis D. Brandeis, of counsel for the appellant, and Mr. Assistant Attorney General Dodge, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March 15th, 1889.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court took a recess.

On motion first made to the Court in this behalf, by Mr. Henry E. Davis it is ordered that James Francis Smith, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he came forward and took the oath prescribed by law.

201. The Northern Pacific Railroad Company, Plff in Error, vs. Michael C. Cavanaugh. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed

Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

The Northern Pacific Railroad Company, Plff in Error, vs. Ralph Atherton. No. 165. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

It appearing to the Court that a stipulation of counsel for the appealing parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

Mary B. Campbell Administratrix of James B. Campbell, deceased, William Henry Trescot & William E. Earle, Plffs in Error, vs. J. C. Schaffe, Executor of J. Schaffe, deceased. No. 155. In Error to the Court of Common Pleas of Charleston County, South Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged

Monday, March 5th, 1856. Continued.

by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

(per M. Chief Justice Taney.)

142. Charles McIntire Jr., Administrator &c., Pltff in Error, vs. Edwin A. McClean et al. Deft

Reargument of this cause was commenced by M. William G. Johnson, of counsel for the plaintiff in error, continued by M. Enoch Potter, of counsel for the defendants in error, and concluded by M. Calderon Carlisle, of counsel for the plaintiff in error.

143. Bernard Owens, Pltff in Error, vs. John Hartley

This cause was argued by M. George A. King and submitted on a printed argument by M. H. S. Benedict, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

146. Julius Hollander et al., Appellants, vs. Martin S. Fiekhiemer et al.

Reargument of this cause was commenced by M. Leon Tolmine, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Reuben Leslie Maynard, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Joseph H. Symonds, Esquire, of Portland, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. Leigh Robinson it is ordered that Sherwood, [illegible] Esquire, of Toledo, State of Ohio, be

sylvania, be admitted to practice as an attorney and Counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. George R. Mackey it is ordered that Horace Lurvance, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Henry E. Davis it is ordered that George H. Lamar, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Charles F. Joy it is ordered that John A. Raney, Esquire, of Piedmont, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Julian A. Mack, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. James Hamilton Lewis it is ordered that

Hamilton, Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

778 John Matthews, Plaintiff in Error, vs. The United States. } In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham.

Sep. Charles N. Gildersleeve, Appellant, vs. The New Mexico Mining Company. } Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice White.

The United States, Complainant
vs.
The State of Texas.

Original. In Equity.

This cause having been submitted upon the pleadings, proofs and exhibits, and the Court being fully advised;

It is ordered adjudged and decreed, that the territory east of the 100th meridian of longitude, west and south of the river, now known as the North Fork of Red River, and north of a line following the same, as prescribed by the treaty of 1819 between the United States and Spain the course and along the south bank, both of Red River and of the river now known as the Prairie Dog Town Fork or South Fork of Red River until such line meets the 100th meridian of longitude which territory is sometimes called Greer County — constitutes no part of the territory properly included within or rightfully belonging to Texas at the time of the admission of that State into the Union, and is not within the limits nor under the jurisdiction of that State, but is subject to the exclusive jurisdiction of the United States of America. (Mr. Justice Harlan delivered the opinion of the Court.)

Mr. Justice Peckham, not having been a member of the Court when this cause was argued, took no part in the decision.

Samuel Whitehill Barber
et al,
1885. vs. Appeal from Dist.
Fort Wayne, Jeffersonville &
Chicago Railway Company. On consideration of the petitions for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the motion to advance the cause, it is now here ordered by the Court that said petitions and motion be, and the same are, hereby, denied, but the cause may be advanced, as under the 32d rule, to be taken on printed briefs, if counsel shall so desire and

per Mr. Chief Justice Fuller.

Bob Fulton,
227. vs. Appellant
Hark Mayes, High Sheriff &c. On consideration of the suggestion of diminution of the record and motion for a writ of certiorari, in this cause and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that a writ of certiorari be and the same is hereby awarded, as prayed, for a certified copy of the indictment presented with the motion to be taken as a return thereto.

per Mr. Chief Justice Fuller.

697. Railroad & Banking Company of Georgia, et al., vs. Appellants
William A. Wright, Comptroller General of the State of Georgia

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument on the second Monday of the next term after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller

699. The United States, Appt. vs. The Union Pacific Railroad Co., et al.
702. The United States Appt vs. The Kansas & St. Peter Railroad Co., et al.
703. The United States, Appt vs. The St. Louis & Iron Mountain Railway Co.

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cases assigned for argument on the second Monday of the next term, after the causes heretofore assigned for that day.

Per Mr. Chief Justice Fuller

798. Sandy White vs. Keffin Finn, The United States

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next

been, after the cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

741. Margaret A. Mucklal. vs. Hoffman Bro. & Arlington & Hall Comp. On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that leave be, and the same is hereby granted plaintiffs in error to file a bond in the penal sum of $300.00, conditioned according to law, and to be approved by the Clerk and thereupon the motion to dismiss will be denied.

Per Mr. Chief Justice Fuller.

863 Martha Barnitz vs. Hoffman & John L. Beverley. On consideration of the motion to recall the order for the submission of this cause and to leave to reargue the cause orally.

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Monday, March 10th, 1879. Continued.

876. The Hartford Fire Insurance Company et al., vs. The Chicago, Milwaukee & St. Paul Railway Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same; It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(Per Mr. Chief Justice Waite.)

The International Trust Company of the City of Denver, Colorado, Appellant, vs. The Norwich Union Fire Insurance Society. On petition for writ of certiorari, —— to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Waite.)

No. 16. The Insurance Company of North America, vs. Hoffman Bros. International Trust Company.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is, hereby, denied.

See Mr. Chief Justice Fuller.

No. 93. The Sun Insurance Office of London, England, vs. Hoffman Bros. International Trust Company of Denver, Colorado.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

See Mr. Chief Justice Fuller.

Joshua M. Dunham Assignee in Bankruptcy of Abraham O. Pinelman
vs.
Alfin Bear & Stephen Beard

134.

In Error to the Supreme Court of the State of Pennsylvania

This Cause Came on to be Heard on the Transcript of the Record from the Supreme Court of the State of Pennsylvania and was argued by Counsel. On Consideration whereof, It is now here ordered and adjudged by this Court that the judgement of the said Supreme Court in this Cause be and the same is hereby, reversed with Costs; and, that this Cause be and the same is hereby, remanded to the said Supreme Court that the judgment of the Court of Common Pleas may be reversed and further Proceedings had, not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Waite

Antonio Ortiz Mena, Consul of the Republic of Mexico,
vs.
Juez (Ricardo Jesus Guerra) and Julian Salazar.

629.

Appellant

Appeal from the District Court of the United States, for the Western District of Texas

This Cause Came on to be Heard on the Transcript of the Record from the District Court of the United States for the Western District of Texas, and was argued by Counsel. On Consideration whereof, It is now here ordered, adjudged

and decreed by this Court that the order of the said District Court in this cause be, and the same is hereby, reversed with costs; and that the same is hereby remanded, to the said District Court for further proceedings to be had therein in conformity to law.

(Per Mr. Chief Justice Fuller.)

The United Electric Railway Company vs. Ellis M. Dean. In Error to the Supreme Court of the State of California.

559. The People of the State of California.

(Reference.)

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Field and
Mr. Justice Harlan.)

The Southern Pacific Railroad Company, Appellant, vs. The People of the State of California. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed, with costs.

Per Mr. Chief Justice Fuller.

Dissenting: Mr. Justice Field and Mr. Justice Harlan.

No. 1. L. A. Lineeum, Appellant, vs. The United States. Hong Yim & Co. Appeal.

No. 14. The United States, Appellant, vs. Hong Yim & Co.

Mr. Solicitor General moved to submit the consideration of the Court motion to advance these cases.

James Addison Pendleton, Appellant, vs. The United States. Appeal.

Mr. Solicitor General moved for counsel for the appellee, having filed in open Court the following certificate to wit:

United States of America }

I, James A. Reeder, Clerk of the Court of Private Land Claims, do hereby certify that in a certain cause pending in said Court wherein James Addison Pendleton and Doña Josefa Loreto Miranda de Peralta ~~Martinez~~ nee Mayo y Silva de Peralta de la Cordoba were complainants, and The United States of America were defendants, a final decree was rendered by said Court of Private Land Claims on the twenty-sixth day of June, A.D. 1895, in favor of the said defendants and against the said complainants, and, that on the twenty-first day of October, A.D. 1895, said complainants prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court of Private Land Claims at Santa Fe, New Mexico, this ninth day of March, A.D. 1896.

James A. Reeder
Clerk of the Court of Private Land Claims.
By Ireneo L. Chaves,
Deputy-Clerk."

Moved the Court to docket and dismiss this cause pursuant to the 5th Rule, and it appearing to the Court that the appellants have failed to have this cause filed and docketed in conformity with the rules of this Court, It is therefore ordered, adjudged and decreed by this Court that this ap-

the same is hereby dismissed with costs; and, that this cause be, and the same is hereby remanded to the said Court of Private Land Claims to be proceeded in according to law and justice.

Per Mr. Chief Justice.

135. The United States, Appellant, vs. Madison J. Julian. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Dodge, of counsel, for the appellant, and Mr. George A. King, of counsel for the appellee.

119. The National Accident Society, Plaintiff in Error, vs. Minnie Spence. Mr. Foster T. Brown, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, and leave was granted Mr. John Ridout in behalf of counsel for the plaintiff in error to file brief in opposition thereto on or before the 18th inst.

132. The Provident Savings Life Assurance Society, Plaintiff in Error, vs. Cora E. Nixon. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the Court.

tion of the Court on printed arguments by Mr. Edmund Shelmore and Mr. Edwin B. Smith, in support of the same and Mr. Stanton Antoni, in opposition thereto.

Robert Robertson et al., Appellants, vs. The United States et al. — Mr. J. A. Nelson of counsel for the appellants, submitted to the consideration of the Court a motion to intervene herein.

355. F. N. Osborne, Appellant, vs. Affirmation, The State of Florida. — Mr. George A. Lemar, in behalf of counsel, submitted to the consideration of the Court a motion to fix a day for the hearing of the cause.

Adolph Krug, Appellant, vs. Affirmation, The State of Washington. — The motion to rescind the order docketing and dismissing this cause and for leave to file the record and docket the case was submitted to the consideration of the Court by Mr. James Hamilton Lewis, in support of the same, and leave was granted Mr. Joseph Shillington, to file opposition thereto on or before Monday next.

Monday, March 8th, 1915. Continued

631. Juan M. Arbelles et al., Appellants, vs. The Steamer Mamie Adams. Petition for writ of Certiorari, sent to the United States Circuit Court of Appeals for the Second Circuit

Court of Appeals was submitted to the consideration of the Court on printed argument by Mr. Sidney Webb, in support of the same, with leave to Mr. R. D. Benedict to file brief in opposition thereto on or before Monday

636. The Baltimore & Ohio R. R. Co., vs. Hoffman Bros. Millinery Co. Motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record, and printed argument by Mr. W. P. Maddox and Mr. Hayden Chevrance, in support of the Motion

914. A. Howard Ritter, Executor &c., vs. The Mutual Life Insurance Company of New York. Petition for writ of Certiorari, sent to the United States Circuit Court of Appeals

for the Third Circuit was submitted to the consideration of the Court on printed arguments by Mr. Shakespeare Brinton, Mr. Richard D. Lyle, Mr. John Thompson Baines and Mr. George Tucker Bispham, in support of the same, and Mr. John G. Johnson, in opposition thereto

251. The Union National Bank of Chicago, v. Ellis Dror. The Louisville New Albany & Chicago Railway Company,

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George M. Kretzinger in support of the motion and Mr. Wesley T. Robbins in opposition thereto.

116. Justus Vollmuller et al. v. Appellants. Weston S. Pickburn et al.

The argument of this cause was continued by Mr. Leon Tobriner, of counsel for the appellants and Mr. James Francis Smith and Mr. Henry S. Davis, of counsel for the appellees and concluded by Mr. Leon Tobriner, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 7th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James McKenney, Clerk

Proclamation being made, the Court is opened.

No. 157. The Union Pacific Railway Co. et al. vs. The Chicago, Rock Island & Pacific Railway Company. Appellants,

and

No. 5. The Union Pacific Railway Co., vs. The Chicago, Milwaukee & St. Paul Railway Company. Appellant

On motion of Mr. John M. Thurston, of counsel for the appellants, It is ordered by the Court that these cases be and they are hereby

passed subject to the provisions of section 4 of Rule 24.

No. The United States
vs. Hoffin Bros.
Andrew J. Hay.

And

The United States
vs. Hoffin Bros.
The Realty Company.

Mr. Thomas J. Emmas, of Counsel for the defendants in error, submitted to the consideration of the Court a motion to reassign these cases for argument.

No. The Morse Arms Manufacturing Company,
vs. Appellant.
The Hunter Arms

On motion of Mr. Assistant Attorney General Whitney, of Counsel for the appellee, It is ordered by the Court that this cause be and the same is hereby passed, subject to the provisions of section 6 of Rule 36.

No. The Oregon Short Line & Utah Northern Railway Co.
vs. Hoffin Bros.
Jane Mallone

And

The Oregon Short Line & Utah Northern Railway Co.
vs. Hoffin Bros.
J. P. Mallone, Executor &c.

And

The Oregon Short Line & Utah Northern Railway Co.
vs. Hoffin Bros.
Transcript Cont'd

These causes were argued by Mr. John M. Thurston, of Counsel for the plaintiff in error, and Mr. Alfred D. Bennett, of Counsel for the defendants in error.

Tuesday March 9th 1824 Continued

150. L. F. Henningten, vs. The State of Georgia, } Argument of this Cause was commenced by Mr. Edward Colston, of Counsel for the plaintiff in error, and continued by Mr. J. M. Dowell of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday, March 18th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Horace Chilton it is ordered that J. B. Enright, Esquire, of Fort Worth, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he thereupon made the usual

On motion first made to the Court in this behalf by Mr. John F. Lacey it is ordered that Leonard A. Hale, Esquire, of Chicago, State of Illinois, and Thomas O'Connor, Esquire, of Hartford, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were [illegible] accordingly.

No. 7. The United States, Plff in Error, vs. Andrew H. Gay — and — The United States, Plff in Error, vs. The Sunday Company

Ordered by the Court that these cases be and they are hereby dismissed

No. 8. L. F. Pennington, Plff in Error, vs. The State of Georgia

Argument of this cause was concluded by Mr Alva M Adams, of Counsel for the Plff in Error.

No. 151. The First National Bank of Clark, South Dakota, Plff in Error, vs. The State of South Dakota

Error to the Supreme Court of the State of South Dakota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute its writ of error, and failing to appear. On motion, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in accordance

155. The Northern Pacific R.R. Co. vs. Samuel Peterson — This cause was argued by Mr. Morris, of Counsel for the defendant in error, and submitted on a point — & argument by Mr. W. J. Curtis and Mr. C. H. Bunn, of counsel for the plaintiff in error.

Not. John Emmons Cornell, vs. Appellant. Nelly A. D. Cornell — On motion of Mr. Lyman Trumbull, of Counsel, for the appellant three Counsel are allowed to argue this cause on behalf of the appellant.

Not. John Emmons Cornell, vs. Appellant. Nelly A. D. Cornell — The argument of this cause was commenced by Mr. F. B. Doyle and continued by Mr. Lyman Trumbull, of Counsel for the appellant, and concluded by Mr. C. C. Ogden, of Counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow at eleven o'clock.

Thursday, March 19th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John N. Knight, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion it is ordered that W. H. Nugh, Esquire, of Merced, State of California, be admitted to practice as an attorney and counsellor of this Court and he was [illegible]

161. Alfred F. Hebelen, Plaintiff in Error,
v.
Miles J. Sachs et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Jed L. Washburn, of counsel for the plaintiff in error, and Mr. C. K. Davis, Mr. F. B. Kellogg, Mr. C. A. Severance and Mr. Clarence D. Hudson, of counsel for the defendants in error.

Mary B. Campbell Administratrix of James B. Campbell deceased
Pltff in Error
vs.
William C. Lade,
Deft in Error,
D. Quigley, Executor of M. P. McHugh

Error to the Court of Common Pleas of Charleston County
Argued Heretofore

167.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have fully filed the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite

John Evans Cornell,
Appellant
vs.
Kitty A. A. [illegible]

The argument of this cause was continued by Mr. C. C. Ogden, of Counsel for the Appellee, and concluded by Mr. Robert Rae of Counsel for the appellant.

166.

The Great Western Telegraph Co.,
Plff in Error
vs.
Barbara Buntlam et al.

The argument of this cause was commenced by Mr. Thomas J. Sutherland of Counsel for the Plaintiff in error

157.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, March 16th, 1900.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. William D. Baldwin it is ordered that Edward C. Davidson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he thereupon took the oath.

139. Jane Lynch, Appellant
v.
John Henry Murphy, Sole Surviving Executor, et al.

On motion of Mr. Henry E. Davis of Counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause, per stipulation of Counsel.

Erwin Davis, U. S. M. M.
Plaintiff in Error,
vs.
Algernon S. Gilbert.
Defendant in Error.

In Error to the United States Circuit Court for the Eighth Circuit.

1865.

Appearing to the Court that a motion of counsel for the plaintiffs in error to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said motion, it is now here ordered, adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed, with costs.

Per Mr. Chief Justice Chase.

The Great Western Telegraph Co.,
vs.
Alfin Error,
Barbara Burnham et al.

In Error to the Supreme Court of the State of Illinois.

1865.

Reargument of this cause was concluded by Mr. Thomas J. Sutherland, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. Reese M. Bowen, of counsel for the defendant in error.

John D. Fee,
vs.
Alfin Error,
Mary C. Sheldon, Executrix, &c.

In Error to the Supreme Court of the State of Missouri.

1865.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Vale and Mr. C. Clements, of counsel for the plaintiff in error, and Mr. James O'Brien, of counsel for the defendant in error, with leave to counsel for the defendant in error to

Monday, March 26th, 1877. Continued.

file an additional bill within one week and Counsel for the plaintiff in error to file a reply thereto within one week thereafter.

The Central Pacific R.R. Co. vs. The State of Nevada, } Error to Supreme Court.
And
The Central Pacific R.R. Co. vs. The State of Nevada, } Error to Supreme Court.

These cases were argued by Mr. Wheeler H. Peckham, of Counsel for the plaintiffs in error and Mr. John G. Sharp, of Counsel for the defendant in error.

Mary J. Dominguez, &c. et al., vs. William Hahn, } Error to Supreme Court.

The argument of this cause was commenced by Mr. Jefferson Chandler, of Counsel for the plaintiffs in error.

Proclamation being made the Court adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that W. L. Granberry, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion duly made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that E. Willett Van Vleet, Esquire, of Brooklyn, New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion duly made to the Court in this behalf by Mr. [illegible] it is ordered that [illegible]

admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Clark it is ordered that J. F. Davis, Esquire, of Des Moines State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. Curtis it is ordered that Thomas C. Bach, Esquire, of Helena State of Montana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Theodore F. Brown, Appellant
vs.
John H. Steele, United States Marshal for the Western District of Pennsylvania

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Harlan delivered the opinion of the Court.

Dissenting:
Mr. Justice Shiras
Mr. Justice Gray and
Mr. Justice White

659. Caroline Southworth, Executrix of John E. Southworth, deceased, Appellant, v. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brewer.
(Announced by Mr. Chief Justice Fuller.)

Mr. Justice White took no part in the consideration and decision of this case.

694. George H. Post, Plaintiff in Error, v. The United States. In Error to the District Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed, and that this cause be, and the same is hereby remanded to the said District Court with directions to set aside the verdict and to sustain the de-

Monday March 22d 1875 Continued

Murrers to the indictments.

(Per M. Justice Bradley)

653. David W. Manley, William P. Gibson, Samuel T. Cushing, J.C. Bailey and the United States, Plffs in Error, vs. Mercy H. Shewalter and J.F. Shewalter

In Error to the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Fourth Supreme Judicial District of the State of Texas, and was argued by Counsel. On consideration whereof it is now here ordered, and adjudged by this Court that the judgment of the said Court of Civil Appeals in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said Court of Civil Appeals with instructions to dismiss the action as against the United States, and to enter judgment in favor of the individual defendants, with costs.

(Per M. Justice Bradley)

Henry C. Rouse, Receiver &c. of the Missouri, Kansas & Texas Railway Company, Plff in Error, vs. John E. Kennedy. } In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Henry C. Rouse, Receiver &c. of the Missouri, Kansas & Texas Railway Company, Plff in Error, vs. Robert H. Vaughan. } In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and a stipulation of counsel for the respective parties that this cause should abide the decision in the case of Rouse, Receiver, vs. Kennedy, No. 706, during the present October Term, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of

hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice

135. Nathaniel T. Dieconomou of the Steamer "Oconomowoc" v. Appellant, The Steamer "Oconomowoc" and The Interstate Steamboat Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had in support of, and against the same, It is now here ordered by the Court that said petition be, and the same is hereby granted.

Per Mr. Chief Justice

254. The Union National Bank of Chicago, v. Elgin City Banking Co. The Louisville, New Albany & Chicago Railway Company.

On consideration of the motion to dismiss this cause, It is now here ordered by the Court that the further consideration of said motion be, and the same is hereby, postponed to the hearing of the cause on its merits.

Per Mr. Chief Justice

353. J. N. Osborne vs. Mayor &c. of Mobile, The State of Alabama

On consideration of the motion to fix a day for the hearing of this cause, It is now here ordered by the Court that this cause be and the same is hereby, assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per M. Chief Justice Taney

626. The Baltimore & Ohio Railroad Company vs. William Sackett

In Error to the Supreme Court of the State of Ohio

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio and on motions to dismiss or affirm which were argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per M. Chief Justice Taney

725. Robert Robertson et al., vs. J. D. Pollard, The United States et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby,

on the second Monday of the next term, after the cases heretofore assigned for that day, but it will be taken on printed briefs at any time during this term, if counsel shall be so advised.

Per Mr. Chief Justice [illegible]

No. 711. L. A. Sweeney vs. The United States. On consideration of the motion to advance the cause, it is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

Per Mr. Chief Justice [illegible]

No. 701. The United States, Appellant, vs. Hong Kim Ark. On consideration of the motion to advance the cause, it is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day, but it will be taken on printed briefs at any time during this term, if counsel shall be so advised.

Per Mr. Chief Justice [illegible]

No. 918. Adolph Krug, vs. Phillip Speer et al. The State of Washington. On consideration of the motion to rescind the order docketing and dismissing this cause and for leave to file the record and docket the cause and of the argument of counsel thereupon had as well in support of as against the same,

It is now here ordered by the Court that the order docketing and dismissing this cause be and the same is hereby set aside, on the payment of costs, and leave is given to file the record and docket the cause.

Per Mr. Chief Justice Fuller.

No. 919. The National Accident Society vs. Jeffie Dixon, Minnie Speer. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced as under the 32d rule, to be taken on printed briefs.

Per Mr. Chief Justice Fuller.

No. 920. A. Howard Ritter, Executor of William M. Rand, deceased, vs. Jeffie Dixon. The National Life Insurance Company of New York. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari

herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that the said petition be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller.)

(31.) Juan M. Ceballos et al., Appellants, vs. The Schooner "Seven Brothers," James B. Steele, Claimant. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller.)

(32.) The Provident Savings Life Assurance Society, Appellant, vs. Cora E. Riffin Ewen. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the

said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Waite.

The United States ex rel. Charles D. Long, vs. Affirmation. William Lochren, Commissioner of Pensions.

It is ordered by the Court that the cause be, and the same is hereby, restored to the docket for re-argument before a full bench and assigned for the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Waite.

164. The United States, Affirmation, vs. Andrew N. Gray.
165. The United States, Affirmation, vs. The Central Pacific Railroad Company.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on Monday, 23rd inst.

Per Mr. Chief Justice Waite.

James Murray alias "Gentle Jim", vs. Affirmation. The State of Louisiana.

George H. Nilson, vs. Affirmation. The United States.

It is ordered by the Court that these cases be, and they are, hereby, re-assigned for argument on Monday, 23rd inst.

Per Mr. Chief Justice Waite.

Monday, March 23d, 1903. Continued

The Chief Justice announced that at the conclusion of the session of the Court on Thursday, April 2d, the Court would adjourn until Monday, April 13th, and that the call of the docket would be suspended on Friday, May 1st, and that the Court would adjourn for the term on Monday, May 18th next.

700. The United States, Appellant, vs. The Union Pacific Railway Company et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause having been called to the attention of the Court by Mr Solicitor General Conrad, of counsel for the appellant, and a stipulation to dismiss this appeal having been filed, Therefore in pursuance of said stipulation, It is hereby ordered, adjudged, and decreed by this Court that the said appeal be and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

153. Ed. Abeity alias Charles Rums, Plff in Error, vs. The United States. On motion of Mr. Assistant Attorney General Whitney of counsel for the defendant in error, leave is hereby granted him to file an additional brief herein.

John Hammond,
944. vs. Affirmed.
The Stockton Combined Harvester and Agricultural Works.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted by Mr. James G. Maguire and Mr. John A. Miller, in support of the same.

The Boyden Power Brake Co., et al.,
947. vs. Appellants,
George Westinghouse, Jr., et al.

George Westinghouse, Jr., et al.,
948. vs. Appellants,
The Boyden Power Brake Co., et al.

Mr. Lysander Hill, of counsel for the Boyden Power Brake Co., et al., submitted to the consideration of the Court a motion to advance cases and leave was granted counsel for Westinghouse et al. to file opposition thereto on or before Friday next.

Wells S. Huntington et al.,
935. vs. Appellants,
The Owners of the Steamship "Advance" vs.
Wells S. Huntington et al.,
936. vs. Appellants,
The Owners of the Steamship "Alliance" vs.
Wells S. Huntington et al.,
937. vs. Appellants,

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted.

Monday March 21st 1859

the Court on printed arguments by Mr. Maxwell Evarts and Mr. R. J. Meredith in support of the same, and Mr. Lewis Cass Jr. and Mr. Curtis contra.

The Southern Pacific R.R. Co. et al. vs. The United States. Appellants. On motion of Mr. J. Hubley Ashton of Counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby continued until the next term.

770.

Samuel P. Hubbard et al. vs. Jeffries Ewer. The Exchange Bank of Appellees. The petition for a writ of error herein to the United States Circuit Court of Appeals for the Second Circuit came on to be heard and to the consideration of the Court on printed arguments by Mr. William J. Curtis in support of the same, and Mr. John C. Hoadley contra thereto.

136.

Nine Croppers vs. Abby K. McLane et al. John Croppers, Jeffries Ewer. Petition for writ of error to the Supreme Court of the District of Columbia.

761.

This cause having been called to the attention of the Court by Mr. J. Holdsworth Gordon, of Counsel for the defendants in error, and a motion to

Monday March 21st 1859

dismiss this writ of error having been filed,
Therefore in pursuance of said stipulation it
is now here ordered and adjudged by this
Court that the writ of error in this cause be, and
the same is hereby dismissed with costs.
Per Mr. Chief Justice Fuller.

Anne Cropper and John Cropper, Plffs in Error,
vs. In Error to the Supreme Court of the
Abby K. McLane & Jas. L. McLane, Deft's in Error. District of Columbia.

This cause having been called to the attention of
the Court by Mr. J. Holdsworth Gordon, of Counsel
for the defendants in error, and a stipulation to
dismiss the writ of error having been filed, There-
fore, in pursuance of said stipulation, It is now
here ordered and adjudged by this Court that the
writ of error in this cause be, and the same is
hereby, dismissed with costs.
Per Mr. Chief Justice Fuller.

No. 261. Anne Cropper & John Cropper, Plffs in Error, vs. Abby K. McLane & James L. McLane. On motion of Mr. J. Holdsworth Gordon, of Counsel, for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this

No. 269. Anne Cropper and John Cropper, Plffs in Error, vs. Abby K. McLane & James L. McLane.

Monday, March 22d, 1858. Continued

* Ana J. Dominguez de Luyer et al.
175. vs. Jeff. Wheeler,
William Ramsey

Argument of this cause continued by Mr. Wheeler,

of counsel for the defendant in error, and concluded by Mr. Jeff. Wheeler, of counsel for the plaintiffs in error

The Girard Life Insurance, Annuity & Trust Co. et al.,
164. vs. Appellants,
A. N. Cooper et al.

Argument commenced by Mr. Samuel Dickson, of counsel for the appellants, and

Mr. A. J. Moseley, of counsel for the appellees

George F. Pettis,
179. vs. Jeff. Wheeler,
P. Crowley, Sheriff of Nelson

On motion of Mr. James L. Maguire, of counsel for the defendant in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, March 21, 1876.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,

Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Harvey D. Hudson it is ordered that William Gray Brooks, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorney and counsellor of this Court and he was thereupon accordingly sworn.

On motion first made to the Court in this behalf by Mr. J. A. Mitchell it is ordered that S. H. Thomas, Esquire, of Watertown, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly sworn.

On motion first made to the Court in this behalf

Thursday, March 9th, 1876. Continued.

On Mr. J. B. Warner it is ordered that John Lord Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

203. The Northern Pacific Railroad Company, Pl. in Err. vs. Jeremiah Chamberlain, Def. in Err. In Error to the United States Circuit Court of the District for the Eastern District of Wisconsin.

It appearing to the Court that counsel for the plaintiff in error to dismiss the writ of error in this cause has been filed, Therefore in pursuance of said authority, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite

181. Joseph C. Mitchell, Pl. in Err. vs. The State of South Dakota, Def. in Err. In Error to the Supreme Court of the State of South Dakota.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs. Per Mr. Chief Justice Waite

166 The Northern Pacific Railroad Company, Plff in Error, vs. George A. Lowe et al. This cause was argued by Mr. H. Austin, of counsel for the plaintiff in error, and Mr. Thomas C. Black, of counsel for the defendant in error.

167 The Rogers Locomotive Machine Works et al., Plff in Error, vs. The American Emigrant Co. This cause was argued by Mr. Charles A. Clark, of counsel for the plaintiffs in error, and Mr. J. J. Davis, of counsel for the defendant in error.

168 The Missouri, Kansas & Texas Railway Company, Plff in Error, vs. J. B. Cook et al. This cause was argued by Mr. Nelson Case, of counsel for the defendants in error and submitted on a printed argument by Mr. Simeon Hagerman and Mr. T. H. Sedgwick, of counsel for the plaintiffs in error.

174 A. Lowe, Plff in Error, vs. The State of Kansas. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. George Chandler, of counsel for the plaintiff in error. No counsel appeared for the

177. Henry H. Blagge et al. Adm'rs &c. vs. Plffs in Error.
Francis V. Balch, Adm'r &c.
Augustus A. S. Foote et al. vs. Plffs in Error.
The Women's Board of Managers
William Gray Brooke, Adm'r et al. vs. Plffs in Error.
Robert Cottman, Adm'r et al.

Ordered by the Court that the counsel be allowed to argue their cases each side and that counsel for the plaintiffs in error be allowed three hours for the argument.

177. Henry H. Blagge et al., Adm'rs &c. vs. Plffs in Error.
Francis V. Balch, Adm'r &c.
Augustus A. S. Foote et al. vs. Plffs in Error.
The Women's Board of Managers
William Gray Brooke, Adm'r et al. vs. Plffs in Error.
Robert Cottman, Adm'r et al.

The argument of the cases was commenced by Mr. George A. King of counsel for the plaintiffs in error in the [illegible]

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion it is made to the Court in this behalf by Mr. H. A. Bowlby it is ordered that James A. Baker, Esquire, of Fairhaven, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Herschel Waverly, Admr., Appellant,
vs.
Pfaff & Drees. } The petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry M. Boyle in support of the same, and Mr. L. L. Bond, Mr. A. H. Adams, Mr. C. E. Cleveland and Mr.

Wednesday March 25th 1878 Continued

J. L. Jackson, in opposition to motion

188. Charles M. McClellan et al
D. W. Lipe,
vs. Appellants
Henry C. Pyrall and James C. Kelly

In Error to the United States Circuit Court for the Eighth District

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, This, therefore, in pursuance of the 10th rule of this Court, Now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite

90. John L. Dennis,
vs. Appellant,
Hugh A. De Lacy, Chief of Police of the City of San Jose, County of Santa Clara, State of California

Appeal from the Circuit Court of the United States for the Northern District of California

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, This, therefore, in pursuance of the 10th rule of this Court, Now here ordered, adjudged and decreed by this Court that the appeal in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite

Henry H. Kingsley et al. Admrs. &c.
177. vs. Plffs in Error,
Francis T. Balch, Admr &c.

Augustus R. S. Foote et al
207. vs. Plffs in Error,
The Women's Bowling Association

Wm Gray Brooks, Admr &c. et als
281. vs. Plffs in Error
Robert Codman, Admr &c. et al

Re-argument of these cases was continued by Mr. George A. King of counsel for the plaintiffs in error in No. 177, Mr. James N. Webb and Mr. John M. Kling, of counsel for the defendants in error in No. 207, Mr. Felix for counsel for the plaintiffs in error in No. 281, Mr. Joseph B. Warner, of Counsel for the defendants in error in No. 281, by Mr. William Gray Brooks, of counsel for the plaintiffs in error in No. 281, and concluded by Mr. Harvey D. Hadlock, of counsel for the plaintiffs in error in No. 281, and the cases were submitted on printed arguments by Mr. Francis T. Balch and Mr. Felix Raeremann, of counsel for the defendants in error in No. 177, and Mr. William Warner Hoppin, of Counsel, for the plaintiffs in error in No. 207.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday March 6th 1871

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice,
" Stephen J. Field
" Horace Gray
" Nathan Clifford
" Noah H. Swayne
" George Shiras, Jr.
" Samuel F. Miller
" Stephen J. Field
" John M. Harlan
" Rufus W. Peckham
" Joseph P. Bradley
" Ward Hunt
" Morrison R. Waite

Associate Justices.

John M. Wright, Esquire, Marshal,
" Samuel M. Bunn, Clerk

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. David B. Hill it is ordered that Samuel A. Leman, Esquire of Malone State of New York, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

On motion first made to the Court in this behalf by Mr. Reese A. Voorhees it is ordered that W. H. H. Mack, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was accordingly

Bernard Owens, Plaintiff in Error,
vs.
John [illegible]

143

It is ordered by the Court that the writ of error in the above cause be and the same is hereby dismissed

by inserting therein the name of Bernard McSweeny, Executor of John Henry, deceased, as the party defendant in error.

1853. Bernard McSweeny, Appellant, v. The Commissioners of Hamilton County. Appeal from the Second Circuit of the District of Columbia.

This cause having been called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the rule now here ordered, adjudged, and decreed, by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney.

No. The Seneca Nation of Indians, Plaintiffs in Error, v. The American Board of Foreign Missions. This cause was argued by Mr. Morris Morey, of Counsel for the defendant in error and submitted on a printed argument by Mr. James C. Strong, of Counsel for the plaintiffs in error.

461. M. F. Ball et al., Plaintiffs in Error, v. The United States. This cause was argued by Mr. C. A. Smith, of Counsel for the plaintiffs in error, and Mr. Assistant Attorney General Dickinson, of Counsel for

Thursday, March 16th. 1876. Continued

1811. The Northern Pacific R.R. Co., Plaintiff in Error,
vs.
R. J. Dawson, Admr &c. Defendant in Error,

Argument of this cause was commenced by Wm. C. H. Dunn of Counsel for the plaintiff in

Proclamation by the Marshal of the Court as usual until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray, } Associate
Henry B. Brown, } Justices.
George Shiras Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. L. Bond it is ordered that C. H. Beatty, Esquire of Chicago, State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

P. J. Bryan, Appellant
vs.
D. N. Kenney, Jr. Appellee

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William A. McKenney, of Counsel for the appellant, and Mr. D. N. Kenney, of Counsel for the appellees.

Monday, March 2d

184. The Northern Pacific R.R. Co., vs. Iliff in Error, (R. J. Dawson, Admr.) The argument of this cause was continued by Mr. Rose & H. Voorhees, of counsel for the defendant in error, and concluded by Mr. C. W. Penn, of counsel for the plaintiff in error.

185. Daniel J. Davis et al., vs. Iliff in Error, N. F. Geisler et al. This cause was argued by Mr. S. A. McMath, of counsel for the defendants in error, and submitted on a printed argument by Mr. D. P. Stubbs, of counsel for the plaintiff in error.

186. J. M. Montgomery, vs. Iliff in Error, The United States. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Creed H. Bates, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

187. The American Road Machine Co., vs. Appellant, The Pennock & Shaeffer Mfg. Co. Ordered by the Court that this cause be, and the same is hereby passed until Monday next.

The Canada Steamship Co. Argument of
187. vs. Appellant the Cause was
Cyprien Tibbo Respondent. Commenced by
Mr. R. D. Benedict,
of Counsel for the appellee, and Continued by
Mr. Frank Dubuque of Counsel for the ap-
pellants.

Proclamation being made the Court adjourned
until Monday next at twelve O'clock.

Monday, March 20th, 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Samuel F. Miller
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that W. G. Hamsberry, Esquire of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was admitted accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that James M. Lee, Esquire, of Memphis, State of Tennessee be admitted to practice as an attorney and counsellor of this Court and he was admitted accordingly.

On motion first made to the Court by Mr. [illegible]

by Mr. Sawyer, P. Fish it is ordered that William B. Durant, Esquire, of Cambridge, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. S. A. Canfield it is ordered that Frank S. Worden, Esquire, of Cleveland, State of Ohio, be admitted to practice as attorney and counsellor of this Court and he was accordingly.

On motion first made to the Court in this behalf by Mr. A. D. Benedict it is ordered that Benecroft Sherard Davis, Esquire, of Cambridge, State of Massachusetts, and Edward L. Benedict, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were accordingly sworn.

On motion first made to the Court in this behalf by Mr. James J. Connolly it is ordered that John M. Lansden, Esquire, of Cairo, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was accordingly sworn.

On motion first made to the Court in this behalf, by Mr. Attorney General Harmon it is ordered that L. S. Dewoody, Esquire, of Vernon, State of Texas, be admitted to practice as an attorney and counsellor

Monday, March 5th, 1894. Continued

of this Court and the Clerk was directed accordingly.

The Cincinnati New Orleans & Texas Pacific Railway Co. et al., vs. Appellants, The Interstate Commerce Commission. } No. 1473. Appeals from the United States Circuit Court of Appeals for the Fifth Circuit.

And

The Interstate Commerce Commission, Appellant, vs. The Cincinnati, New Orleans & Texas Pacific Railway Company et al.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is ordered, adjudged, and decreed by this Court, that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed, each appellant to pay one-half of the costs in this Court; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Northern District of Georgia.

Per Mr. Justice Shiras.

The Farmers' Loan & Trust Company, Appellant, vs. The Interstate Commerce Commission. } Appeal from the United States Circuit Court of Appeals for the Second Circuit.

397.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decrees of the said United States Circuit Court of Appeals and of the Circuit Court of the United States for the Southern District of New York in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Shiras.

Dissenting:
Mr. Justice Harlan,
Mr. Chief Justice Fuller, and
Mr. Justice Brown.

Thomas H. Pennell, Appellant, vs. The Great Northern Railway Co. } Appeal from the Circuit Court of the United States for the District of Minnesota.

768.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

Monday, March 26th, 1894. Continued

State for the District of Minnesota, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of the Court.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Justice Field and
Mr. Justice Brewer

The Louisville & Nashville Railroad Company, Appellant, vs. The Commonwealth of Kentucky et al. Appellees. } On Appeal from the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with costs.

(Per Mr. Justice Brown.)

Count Joseph Pelsener,
vs. } In Error.
Asa Piper.

Writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and of the Circuit Court of the United States for the Western District of Texas in this cause be, and the same are hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to set aside the verdict and grant a new trial.

(Per Mr. Justice Field.)

Bernard Owens,
vs. } In Error.
Bernard McCloskey, Executor of John Wray, deceased.

1143. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

No. 1875. The Boyden Power Brake Co. et al. vs. George Westinghouse Jr. et al. Appellants.
George Westinghouse Jr. et al. vs. The Boyden Power Brake Co. et al. Appellants.

On consideration of the motion to advance these cases. It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cases assigned for argument on the second Monday of the next Term after the cases heretofore assigned for that day.

(per Mr. Chief Justice Waite)

No. 1876. Samuel T. Hubbard et al. vs. Affiliated Colleges, Exchange Bank.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice Waite)

Collis P. Huntington et al.,
935. vs. Appellants,
The Owners of the Steamship "Adriatic" &c.

Petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

Collis P. Huntington et al.,
936. vs. Appellants,
The Owners of the Steamship "Britannic" &c.

Collis P. Huntington et al.,
937. vs. Appellants,
The Owners of the Steamship "Vigilancia" &c.

On consideration of the petition for a writ of certiorari, herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is, hereby, denied.

Per Mr. Chief Justice Fuller.

John Hammond,
938. vs. Appellant,
Alexander Sanborn, Master &c.

Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Hezekiah Waverly, Administrator of the Estate of Isaac Waverly, deceased,
vs. Appellant
Deere & Company.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit and of the argument of counsel thereupon had, and both in support of and against the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Fuller.

The Board of Police Instructors for the Port of New Orleans, et al.,
vs. Appellants.
Jacob F. Staren et al.

A petition for rehearing having been presented, leave is hereby given counsel, on both sides to file briefs herein within two weeks, as they may be entitled to.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of William Lochren, Commissioner of Pensions, Petitioner.

Mr. Solicitor General Conrad submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus as herein set

723 Arrington A. Elgington, Pl'ff in Err'r
vs.
The United States
Def't in Err'r

Mr. Solicitor General, Conrad, of Counsel, for the defendant in error, submitted to the consideration of the Court a motion to advance

172 Arrington A. Elgington, Pl'ff in Err'r
vs.
The United States

Mr. Solicitor General, Conrad, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause, and leave was granted Mr. R. to file a brief in opposition thereto

350 Santiago Ainza, Adm'r &c., Appellant,
vs.
The New Mexico & Arizona Railroad Company

On motion of Mr. Assistant Attorney General Dickinson, it is ordered by the Court that the submission of this cause be, and the same is hereby set aside, and the cause restored to the docket for argument with Case No. 351 and 465 [illegible] No. 465 is heard, per stipulation of counsel

611 Brooke Murdall,
vs. Appellant.
Mortal Hillenglass

The motion to dismiss in this cause was submitted to the consideration of the Court on [illegible]

arguments by Mr. A. A. Birney in support of the same, and Mr. Henry E. Davis in opposition thereto.

568. The Central National Bank of Boston, et al. vs. Affirmed. Mason R. Sherwood et al. Wm. Edward, Hinsdale Paige, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

113. Theodore Hansen, vs. Affirmed. James E. Boyd et al. (James Boyd.) Wm. Randolph Hearst, of counsel for the defendants in error, suggested the death of James Boyd, one of the defendants in error, and submitted to the consideration of the Court a motion that this cause proceed in the name of James E. Boyd, surviving partner of James E. Boyd & Brother, and that the time within which to file a remittitur herein as provided by the order of this Court of March 2, 1896, be extended.

189. The Cunard Steamship Co., vs. Appellant, Cyprien Salen, Respondent. Reargument of this cause resumed, continued by Mr. Frank D. Sturges and Mr. Frederic R. Coudert of counsel for the

appellant, and concluded by Mr. R. D. Benedict, of counsel for the appellee.

187. The American Rod Working Company, Appellant, vs. The Pittsburgh Steel Co. Appellee.

Argument of this cause was commenced by Mr. Frederick P. Fish, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 31st, 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright Esquire Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. L. Bond it is ordered that Gilbert White Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick T. Fish it is ordered that Charles Seymour Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

The American Rice Machine Co.,
1897. vs. Appellant;
The Thomas & Edmonds Co.

Reargument of this cause was continued by Mr. Frederick L. Fish, of counsel for the appellant and Mr. V. L. Bond, of counsel for the appellee, and concluded by Mr. Frederick L. Fish, of counsel for the appellant.

The Salina Stock Co. et al.,
191. vs. Appellants,
The Salina Coal & Navigation Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. C. Bennett, of counsel for the appellants, and Mr. J. L. Rawlins, of counsel for the appellee.

William A. Palmer et al.,
194. vs. Appellants,
Mary A. Palmer et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. C. Fremaine and Mr. M. L. Towne, of counsel for the plaintiffs in error, and Mr. Hugo Hirsh and Mr. Henry S. Ringwin, of counsel for the defendants in error.

The United States
195. vs. Appellant,
The Winchester & Potomac R. R. Co.

Reargument of this cause was commenced by Mr. Assistant Attorney General Dickinson, of counsel for the appellant, and

Tuesday, March 31st 1868 [illegible]

continued by Mr. Frank P. Blair, of Missouri,
for the appellees.

Proclamation being made the Court is adjourned
until to-morrow at ten o'clock a.m.

Pursuant to adjournment the Court met
to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.,
Edward D. White.
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion it is ordered that Alfred
H. Bliss, Esquire, of New Whatcom, State of
Washington, be admitted to practice as an
attorney and counsellor of this Court and he
was sworn accordingly.

No. 211. A. C. Epperson, Administrator of J. N. Epperson, deceased, Plff in Error, vs. Wells, Barton & Company. In Error to the Supreme Court of the State of Tennessee.

This cause having been called for hearing in its
regular order, and it appearing to the Court that
the parties have failed to print the transcript of

the Record, It is, therefore, in pursuance of the 10th Rule of this Court now Ordered and adjudged by this Court that the writ of Error in this Cause be, and the same is hereby dismissed with Costs.

Per Mr. Chief Justice

213 D. Frank & Gunn } In Error to the Supreme
vs. } Court of the State of
The State of Georgia } Georgia

This Cause having been called for hearing in its regular order, and it appearing to the Court that the Parties have failed to print the same as part of the Record. It is, therefore, in pursuance of the 10th Rule of this Court now Ordered and adjudged by this Court that the writ of Error in this Cause be, and the same is hereby dismissed with Costs.

Per Mr. Chief Justice

The United States, } The argument of
vs. Appellant, } this Cause was
215. The Winchester & Potomac R.R. Co. } continued by Mr.
Francis T. Chambers

of Counsel for the Appellee, and concluded by Mr. Assistant Attorney General Biddinger, of Counsel for the Appellant, and leave was granted Counsel on each side to file additional Briefs within one week.

197. The United States, Plaintiff, vs. Francis M. Rider et al Sandy Commissioners &c. This cause was argued by Mr. Assistant Attorney General Dickinson, of counsel for the Plaintiff, and Mr. S. M. Hinman of counsel for the defendants.

202. The Propeller J. P. Donaldson &c. Appellants vs. The Barge Edward &c. and The Barge Edward &c. Appellees. This cause was argued by Mr. F. S. Haslem, of counsel for the appellant, and Mr. F. A. Canfield of counsel for the appellees.

204. Mary Ring et al., Appellants, vs. The United States, Appellees. Reargument of this cause was commenced by Mr. F. A. Canfield, of counsel for the Appellants.

Proclamation being made the Court is adjourned, until tomorrow at twelve o'clock.

Monday April 7th 1890.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Attorney
Jared V. McKenney, Marshal

Proclamation being made the Court is opened

No. 240. David L. Swain, Appellant
vs.
The United States.

On motion of Mr. Benjamin Butterworth, of counsel for the appellant, it is ordered by the Court that this cause be, and the same is hereby continued until the next term for stipulation of counsel

No. 242. The American Dock & Improvement Company, Appellant
vs.
The Mayor & Aldermen of Jersey City.

This cause was submitted to the consideration of the Court on the record and a printed argument.

by Mr. William D. Edmonds and Mr. [illegible]

Collins, of counsel for the defendant in error.
No brief was filed for the plaintiff in error.

Thomas Mathews,
vs. Appellant,
Mary E. Hanks, Administratrix of Sylvain M. Hanks, deceased.

216. Appeal from the Supreme Court of the Territory of Utah.

Now, reserving to the Court that a motion by counsel for the appellant dismissing this appeal has been filed. Therefore, in pursuance of said motion it is ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed with cost; and it is further ordered that this cause, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

Hong Wing et al.,
vs. Appellants.
The United States.

214. The argument of this cause was continued by Mr. Assistant Attorney General Dickinson, of counsel for the appellants, and concluded by Mr. F. M. Bonford, of counsel for the appellants.

The Western Union Telegraph Co.,
vs. Plaintiff in Error,
David H. Jewell.

206. This cause was argued by Mr. John F. Dillon, of counsel for the

Thursday, April 2d, 1870, continued

Plaintiff in error. No counsel appeared for the defendant in error.

Joseph M. Brown, Appellant, vs. Grace R. Hoggatt & Lenders & al. } This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Robert Wheeler, of Counsel for the appellant, and Mr. A. A. Birney, of Counsel for the appellees.

Proclamation being made the Court is adjourned until Monday the 11th instant at twelve o'clock M.

Monday, April 13th, 1896

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that Burton Smith, Esquire, of Reno, State of Nevada, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly sworn.

On motion first made to the Court in this behalf by Mr. Frederick H. McKenney it is ordered that Richard K. Doney, Esquire, of South Bend, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly sworn.

On motion first made to the Court in this behalf by Mr. [illegible] it is ordered that [illegible]

Monday, April 8th 1850. Present &c.

Esquire, of San Francisco State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. M. Hewlett it is ordered that J. Alexander Miles, Esquire, of Lexington, State of Kentucky, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Howard it is ordered that Edward E. Holman, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that James F. Smith, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

681. John Stevenson, Plff. in Error, vs. The United States, Deft. in Error. } In Error to the Circuit Court of the United States for the District of

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Peckham.

No. 153. The Northern Pacific Railroad Company, Plff in Error, v. Samuel Peterson. In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Minnesota with directions to grant a new trial.

Per Mr. Justice Peckham.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice Field and

Monday, April 13th 1896, Continued

The Northern Pacific Railroad Company, Plff in Error, vs. P. J. Dawson, Administrator of Hugh Charles, deceased. In Error to the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause, be and the same is hereby, reversed with costs, and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Washington with directions to grant a new trial.

Per Mr Justice Brewer

Dissenting:
Mr. Chief Justice Fuller,
Mr. Justice Field and
Mr. Justice Harlan

The Northern Pacific Railroad Company, Plff in Error vs. George S. Lewis, George Leonard Lewis & John C. Kinsey, Copartners under the firm name of George [illegible] In Error to the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on the transcript of

the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals and of the Circuit Court of the United States for the District of Montana in this cause, be, and the same are hereby, reversed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court with directions to grant a new trial.

(per Mr. Justice Lurton)

William A. Palmer and Adolph M. Droste, Plffs in Err, vs. Mary A. Barrett. } In Error to the City Court of Brooklyn, New York.

No. 194.

This cause came on to be heard on the transcript of the record from the City Court of Brooklyn, New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said City Court in this cause be, and the same is hereby, affirmed with costs.

(per Mr. Justice White)

142. Charles McIntire, Jr. Administrator of Charles McIntire deceased, Plff in Error, vs. Edwin A. McIntire, Hiram McIntire, et al. In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras

147. Lewis P. Kelsey and Jamar K. Gillespie, Appellants, vs. N. J. Crowther, J. P. Lynch, and William Glasmann. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with Costs; And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice Shiras

198. P. J. Bryan, vs. D. H. Hales. Appellant, Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Shiras

199. P. J. Bryan, vs. D. N. Finney, M. N. Sherman, George H. Maud & The Bank of Arizona. Appellant, Appeal from the Supreme Court of the Territory of Arizona. Mary E. Finney, George N. Mitchell,

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Shiras.

200. T. J. Bryan, Appellant
vs.
George T. Bracius, Henry H. Ryder, John H. Jeffries, James McCarthy, George Lorey and John Bleer.

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

186. T. M. Montgomery, Plaintiff in Error,
vs.
The United States.

In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

532 Wilbur D. Andrews, Appellant, vs. The United States. In Error to the District Court of the United States, for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr Justice Harlan.

569 Robert B. Dashiell, Appellant, vs. James B. M. Grosvenor Lessee. On writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Maryland.

Per Mr Justice Brown.

Julius Hollander, Samuel Bieber, Willie Hollander et al. Appellants,
v.
146. Martin L. Fechheimer, Henry Goodkind, Henry Monthal, Charles L. Adler and Charles Fishel, Partners as Fechheimer, Goodkind & Co.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed, for the want of jurisdiction.

Per Mr. Justice [illegible]

The United States, Appellant,
v.
185. Madison J. Julian.

Appeal from the Court of [illegible]

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice [illegible]

The Great Western Telegraph Company for the use of Elias N. Bowen, its Receiver, Plff in Error, vs. Hannah Purdy

In Error to the Supreme Court of the State of Iowa

185.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Gray.

The Great Western Telegraph Company, Plff in Error, vs. Barbara Burnham, Charles F. Burnham and John L. Burnham, as Executors of the last will and testament of George Burnham, Dec'd

In Error to the Circuit Court of Milwaukee County, State of Wisconsin.

159.

This cause came on to be heard on the transcript of the record from the Circuit Court of Milwaukee County, State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Gray.

Monday, April 13th, 1896. Continued

711. John Gibson, Plaintiff in Error, vs. The State of Mississippi. In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice [illegible]

712. Charles Smith, Plaintiff in Error, vs. The State of Mississippi. In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice [illegible]

713. H. A. Harwood, Appellant, vs. A. Westbrook. Appeal from the Supreme Court of the Territory of [illegible].

This cause came on to be heard on the transcript

of the record from the Supreme Court of the Territory of Nebraska, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed, with costs.

Per Mr. Justice Harlan.

180. The Seneca Nation of Indians, Plff in Error, vs. Harrison B. Christy. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

185. Daniel J. David and Thomas Rankin, Partners, doing business as David & Rankin, Plffs in Error, vs. A. F. Geissler, John P. Smith, William Huffman et al. In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript

States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of prosecution.

Per Mr. Chief Justice

1779. William Graves vs. Benjamin G. Fennel — Appellant — Appeal from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is now here ordered by the Court that said certificate be, and the same is hereby, answered. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice

177. Henry N. Blagge and Susan B. Samuels, Administrators, vs. Francis V. Balch, Administrator — In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court

of the State of Massachusetts, and was
argued by Counsel. On consideration
whereof, It is now here ordered and ad-
judged by this Court that the judgment of
the said Supreme Judicial Court in this
cause be and the same is hereby, reversed,
with costs; and that this cause be, and the
same is hereby remanded to the said Supreme
Judicial Court for further proceedings not
inconsistent with the opinion of this Court.

Per Mr Chief Justice Waite.

Mr. Justice Gray did not sit in this case and took no part
in the consideration and decision of the same.

Augustus N. A. Poole Plff
in Error
John S. Poole.

vs. } In Error to the Superior
Court of the County of
New Haven, State of
Connecticut.

The Commissioners Board of
Missions &c. Deft

This cause came on to be heard on the transcript
of the record from the Superior Court of the County
of New Haven, State of Connecticut, and was
argued by Counsel. On consideration whereof,
It is now here ordered and adjudged by this
Court that the judgment of the said Superior Court
in this cause be and the same is hereby, reversed
with costs; and that this cause be, and the same
is hereby, remanded to the said Superior Court,
for further proceedings not inconsistent with
the opinion of this Court.

Per Mr Chief Justice Waite.

William Gray Brooks, Administrator of the estate of Henry Gray, deceased, et al,

vs. } In Error to the Supreme Judicial Court of the State of Massachusetts.

Robert Codman, Administrator with the will annexed of the estate not already administered of William Gray, the elder, et al.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Judicial Court in this cause be and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Judicial Court for further proceedings not inconsistent with the opinion of this Court.

Mr Chief Justice Waite delivered the opinion of the Court.

Mr. Justice Gray did not sit and took no part in the consideration and decision of this cause.

Amos Woodruff, Trustee, and The German Bank of Memphis, Appellants, vs. The State of Mississippi, H. H. Stone, Auditor of Public Accounts of the State of Mississippi, H. D. Fleming, Treasurer of the State of Mississippi. In Error to the Supreme Court of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Peckham,
Mr. Justice Brewer and
Mr. Justice White.

The Wisconsin Central R.R. Co., Appellant, vs. The United States. It is ordered by the Court that this cause be and the same is hereby,

Monday, April 28th, 1890. Continued to

full bench.

(Per Mr. Chief Justice Fuller.)

113. Theodore Haneen, Plaintiff in Error, vs. James E. Boyd and Samuel Boyd.

Redeath of Samuel Boyd, one of the defendants in error having been suggested, and it appearing to the Court that said Boyd died March 28, 1892, and that James E. Boyd is the surviving partner of said Samuel,

It is ordered that the order of this Court hereinbefore entered March 7, 1890, be and the same is hereby vacated and set aside, and the said cause revived in the name of James E. Boyd, survivor;

And it is further ordered that if the defendant in error, James E. Boyd, survivor, shall within a reasonable time during the present term of this Court, file in the Clerk's Court of the United States for the District of Minnesota a certified copy of this order and a remittitur of $1350.00 with interest from June 8, 1889, to the date of the verdict, and produce and file a certified copy of said remittitur in this Court, the judgment, less the amount so remitted, will be affirmed; but if this is not done, the judgment will be reversed. Costs in either event to be paid by the defendant in error.

(Per Mr. Chief Justice Fuller.)

568. The Central National Bank of Boston et al., vs. Riffe in Error, Aaron A. Stevens et al

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

611. Brooke Mackall, Appellant, vs. Arctic Bellenghby.

It is ordered by the Court that leave be, and the same is hereby, granted appellant to file affidavits in opposition to motion to dismiss herein.

Per Mr. Chief Justice Fuller.

733. Arington A. Edgington, vs. Riffe in Error, The United States

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is, hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

593. Eli Rowe vs. Riffe in Error, The United States

On consideration of the motion to advance this cause, It is now here

Monday, Next Day Rule Entered

ordered by the Court that said motion be and the same is hereby, granted and the Cause assigned for argument on the Second Monday of the next Term after the Cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller

Joseph R. Dunlop, Plff in Error, vs. The United States.

On consideration of the motion to advance this Cause, It is now here ordered by the Court that said motion be, and the same is, hereby, granted, and the Cause assigned for argument on the Second Monday of the next Term after the Cause heretofore assigned for that day.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of William Lochren, Commissioner of Pensions, Petitioner. Original.

On consideration of the motion for leave, to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller

Ex parte: In the matter of William Lochren, Commissioner of Pensions, Petitioner. Original.

On consideration of the petition of William Lochren, Commissioner of Pensions, herein, It is now here

ordered by the Court that same be shown by the Judge of the District Court of the United States for the Eastern District of New York, before this Court at Washington on Monday, April 29th, instant or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

Per M. Chief Justice Fuller.

The American Dock and Improvement Company, Appellant,
vs.
Kitty Trask,
The Mayor & Aldermen of Jersey City.

In Error to the Court of Errors & Appeals of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is, hereby, dismissed for the want of jurisdiction.

Per M. Chief Justice Fuller.

Certain Real Estate Known as The Gardo House &c, et al., Appellants,
vs.
The United States.
The United States, Appellant
vs.
Certain Real Estate Known as

Mr. Solicitor General, Conrad, of Counsel, for The United States, submitted to the Court.

Certain Real Estate known as
The Church Farm, et al.,
Nos. vs. Appellants
The United States.
Certain Real Estate known as
The Coal Lands et al.,
201 vs. Appellants
The United States.
The United States,
Nos. vs. Appellants
Certain Real Estate known as
The Tithing House &c. et al.

Consideration of the Court a motion to remand these cases to the District Court of the United States for the District of Utah for further proceedings.

Charles Ricle,
633. vs. Plff in Error
The People of the Territory of Utah.

Mr. Solicitor General, General, of counsel for the plaintiff in error submitted to the consideration of the Court a motion to reform the judgment of the Court in this cause.

Lowry W. Himes,
952. vs. Plff in Error,
The United States.

Mr. Solicitor General Conrad, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

George W. Wilson,
884. vs. Plff in Error,
The United States.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr

Assistant Attorney General Dickinson, of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

A. H. Baughn, next friend of Elizabeth [illegible]
vs. Appellant,
Nines Millikrons, Jr. et al.

M. J. McDonell, of counsel for the appellees, submitted to the consideration of the Court a motion to advance this cause.

607.

O. F. Moore,
vs. Plff in Error,
The City of Seafield

On motion of Mr. A. S. McKinney, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Section [illegible]

218.

The United States R. R. Co.
vs. Plff in Error,
The People of the State of California
and
The Southern Pacific R. R. Co.,
vs. Plff in Error,
The People of the State of California

On motion of Mr. J. Hubley Ashton, of counsel for the plaintiff in error, It is ordered by the Court that the mandate in these cases be stayed until

Monday, May 4th next.

585.

William A. Strickland Master &c.,
vs. Appellant,
[illegible]

The petition for a writ of certiorari herein to the United

States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Robert M. Hughes, in support of the same, and Mr. Wilhelmus Mynderse, in opposition thereto.

965. Austin Babcock, Appellant, vs. The Marquis on Mining Co. The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by Mr. James F. Smith, in support of the same, and Mr. Curtis H. Lindley, in opposition thereto.

967. Mary J. Garner, Appellant, vs. The Second National Bank of Providence, R. I. Mr. A. B. Browne, of Counsel for the Appellee, moved the Court to dismiss the petition for a writ of certiorari herein, which was opposed by Mr. William A. McKenney, in behalf of Counsel for the Appellant. Whereupon leave was granted by the Court to submit said petition on or before May 4th next.

979. Jeremiah R. Harman, Appellant, vs. Anthony Harman et al. The petitions for writs of certiorari herein to the United

920. Jacob M. Kenman, Appellant, vs. Jeremiah K. Kenman et al. } State Circuit Court of Appeals for the Seventh Circuit.

were submitted to the consideration of the Court on printed arguments by Mr. James J. Norton in support of the same, and Mr. E. A. Otis, Mr. Charles B. Wood and Mr. Horace B. Oakley, in opposition thereto.

921. Charles M. Matthews and William G. Hill, Executors and Trustees of William W. Corcoran, Appellants, vs. William W. Scott, Trustee, and Lia Sumner. } Appeal from the Supreme Court of the District of Columbia.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

See Mr. Chief Justice Fuller's

Monday, April 8th, 1890. Continued.

The New York & New England Railroad Company, Plff in Error
vs.
Harriet S. Ramsey, Harriet M. Ramsey, Julia Ramsey and Lizzie Ramsey

173. In Error to the Supreme Court of the State of New York

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have joined in due transcript of the record, it is therefore, in pursuance of the 16th rule of this Court, ordered, considered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice

Martha Bamitz, Plff in Error
vs.
John L. Beverley

863. This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. D. M. Valentine and Mr. Thomas F. Doran, of counsel for the plaintiff in error, and Mr. E. A. McMark and Mr. H. J. Scott, of counsel for the defendant in

Homer Adolph Plessy, Plff in Error
vs.
J. H. Ferguson,

210. The argument of this cause was commenced by Mr. A. M. Gregory, of counsel

Plaintiff in error, continued by Mr.

Monday April 8th 1816 Term [illegible]

Earle Morse, of Counsel for the defendant in error, and Concluded by Mr. Samuel F. Phillips, of Counsel for the Plaintiff in error;

Proclamation being made the Court is adjourned until tomorrow 11 o'clock

Tuesday, April 11th, 1876

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. William A. Maury it was ordered that H. H. Foster, Esquire, of Peoria, State of Illinois, &c., be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Biddle, it was ordered that Arthur Biddle, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. [illegible] The Southwestern Pub. Co. [illegible] Appellant
vs.
[illegible] Railroad and Banking Co. of Georgia, et al.

On a certificate from the United States Circuit Court of Appeals for the [illegible] Circuit

This cause having been called to the attention of the Court by Mr. [illegible], of Counsel for the appellant, and he having filed the certificate of the Clerk of the said United States Circuit Court of Appeals that the appeal in that Cause had been dismissed by consent, Therefore, It is now here ordered by this Court that this Certificate be and the same is hereby dismissed.

Per Mr. Chief Justice Chase

No. 214. George E. Keck, Appellant, vs. The United States

The argument of this cause was commenced by Mr. R. H. Steele, of Counsel for the appellant, continued by Mr. Merrick, Asst Attorney General, Dodge, of Counsel for the Appellee, and concluded by Mr. [illegible] Howard, of Counsel for the appellant.

No. 217. The Illinois Central R.R.Co., Plff in Error, vs. The People of the State of Illinois, Def in Error

The argument of this cause was commenced by Mr. William H. Green, of Counsel for the Plaintiff in error, and continued by Mr.

Sunday April 11th 1875 Continued

John M. Lansden of Counsel for the defe

Proclamation being made the Court is ad

until tomorrow

Wednesday April 15th 1874

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Noah H. Swayne
Samuel F. Miller
Joseph P. Bradley
George Shiras, Jr.
Edward D. White
Ward Hunt
Stanley Matthews

John F. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Edwin J. Forbes, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. E. Cullen it is ordered that Samuel Hildreth, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, April 8th, 1896 continued

217. The Illinois Central R.R. Co. vs. The People of the State of Illinois ex rel A.N. Baldwin

Plaintiff in Error, Defendant in Error,

Reargument of this cause was continued by Mr. J. M. Lansden, of counsel for the defendant in error, and concluded by Mr. James Kentnees, of counsel for the plaintiff in error.

220 Mary A. Bloor vs. The Elkhorn Mining Co. Same Docketed

Plaintiff in Error, Defendant in Error,

Reargument of this cause was commenced by Mr. Thomas A. Harker, of counsel for the plaintiff in error, and continued by Mr. W. E. Culen, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock noon.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court opened.

On motion filed made to the Court in this behalf by Mr. Henry M. Teller it is ordered that Archie M. Stevenson, Esquire, of Denver, State of Colorado, and Maynard T. Stiles, Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were accordingly

No. The Southwestern Railroad Co., Appellant, vs. The Central Railroad & Banking Co. of Georgia, et al.

On motion of Mr. A. C. Bacon, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

Thursday, April 10th, 1879

George F. Piper
vs. Plff in Error,
231. The Keppele Iron Company

In Error to the Supreme Court of the State of Pennsylvania

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, as required in pursuance of the 10th rule of this Court, now here it is ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed, with costs.

Per M. Chief Justice

Mary A. Black,
vs. Plff in Error,
230 The Elkhorn Mining Company, Defendant

The argument of this cause was continued by Mr. H. E. Hilton, of counsel for the defendant in error, and concluded by Mr. Thomas N. Carter, of counsel for the plaintiff in error.

James Murray alias Geary
vs. Plff in Error
118. The State of Louisiana

This cause was argued by Mr. Thomas J. Durant for the plaintiff in error and submitted on a printed argument by Mr. M. J. Cunningham and Mr. Alexander Porter Morse, of counsel for the defendant in error.

Charles Reeder,
vs. Appellant
C. C. Lewis, Administrator

No. 204

The argument of this cause was commenced by Mr. James McColgan, of counsel for the appellant. The Court declined to hear further argument.

Charles Reeder,
vs. Appellant
C. C. Lewis, Administrator

No. 204

Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now ordered, adjudged, and decreed by this Court that the appeal in this cause be, and the same is, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

Horace Higgin et al,
vs. Appellees
Esther King

No. 205

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. Benj. F. Butler and Mr. H. C. Peckham, of counsel for the plaintiffs in error. No brief appeared for the defendant in error.

Thursday, April 16th, 1896. Continued.

226. Wallace P. Cook et al., vs. Charles A. Short et al. This cause was argued by Wm. H. N. Shields, of counsel for the plaintiffs in error, and submitted on a printed argument by Wm. H. C. Hendee, of counsel for the defendants in error.

227. Bob Fallon vs. Mack Mayer & Hyk Stong. Argument of this cause was commenced by Mr. L. D. Powell, of counsel for the appellant, and continued by Mr. R. E. Sheerin, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray — Associate
Henry B. Brown, Justices
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. J. H. Bromwell of Ohio it is ordered that Frank D. Loomis, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

On motion first made to the Court in this behalf by Mr. Charles H. Hardman it is ordered that Thomas J. Wells, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly.

On motion first made to the Court in this behalf by

Monday, April 7th, 1890. Adjourned.

Mr. Charles F. Joy it is ordered that Eugene McQuillen, Esquire of St. Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

167 The Morse Arms Manufacturing Company vs. The United States. Appellant. Motion to continue this cause, until the next term. Submitted to the Court by Mr James A Gilkeson, in support of the motion. Mr Solicitor General opposed and Mr. C. C. Binney, in opposition

232 Charles H. Piper, vs. The Chippewa Log Company. Writ of Error to the Supreme Court of the State of Wisconsin

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller

234 The Northern Pacific R.R. Co., vs. Charles W. Cannon et al. Appellant. It is ordered by the Court that this cause be, and the

same is hereby continued until the next term for the publication of reports.

Bob Fallon,
vs. Appellant,
Hugh Morgan, Sheriff &c. Appellee.

Reargument of this cause was concluded by M. L. D. Powell, of counsel for the appellant.

Noland M. Fitch, Admr.,
vs. Appellant.
The United States.

This cause was submitted to the consideration of the Court on the recorder and printed argument by Mr. Assistant Attorney General Dodge, of counsel for the appellee. No brief filed by counsel for the appellant.

230. Isaac Dibble,
vs. Appellant,
The Bellingham Bay &c. Appellee.

Reargument of this cause was commenced by Mr. Alfred L. Black, of counsel for the plaintiff in error, continued by Mr. M. A. Kerr, of counsel for the defendant in error and concluded by Mr. Alfred L. Black, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 28th 1890

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court

On motion just made to the Court in this behalf by Mr. C. C. Binney it is ordered that Henry La Barre Jayne, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was duly sworn accordingly

147. The Oregon Short Line and Utah Northern Railway Co., Plff in Error, vs. Jane Stallard, Def't in Error. } In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by Counsel

sideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Oregon.

Per Mr. Justice Shiras.

The Oregon Short Line and Utah Northern Railway Company, Appellant in Error,
vs.
J. D. Mellen, Administrator of the estate of Nicholas Sutton, deceased.

In Error to the Supreme Court of the State of Oregon.

1115.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Oregon.

Per Mr. Justice Shiras.

The Oregon Short Line and Utah Northern Railway Company, Plff in Error, vs. Francis Conlan, Deft

In Error to the Supreme Court of the State of Oregon

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Oregon.

Per Mr. Justice Shiras

563. Ed. Alberty, alias Charles Burns, Plff in Error, vs. The United States

In Error to the Circuit Court of the United States for the Western District of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to grant a new trial.

Per Mr. Justice Brewer

The Travelers Life Insurance Annuity & Trust Company, Trustee, vs. Francis N. Loewen, Acting Receiver of Moreau Coal & Railway Company, vs. Appellants, H. N. Cooper and James Cooper, composing the firm of H. N. Cooper & Son. 1011.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said United States Circuit Court in this cause be, and the same is hereby affirmed with costs; And that this cause be, and the same is hereby, remanded to the United States Court in the Indian Territory.

Per Mr. Justice Brown.

The Central Pacific Railroad Company, vs. Coffin Bros. The State of Nevada. 170.

In Error to the Supreme Court of the State of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nevada, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of

Monday April 30th 1894 Motion for Continuance

same is hereby affirmed with costs.

(Per Mr. Justice Brown.

Dissenting: Mr. Justice Field.

(Mr. Justice Brewer and Mr. Justice Peckham took no part in the consideration and decision of this case.)

171. The Central Pacific Railroad Company, vs. Plff in Error, The State of Nevada. In Error to the Supreme Court of the State of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nevada, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

(Per Mr. Justice Brown.)

Dissenting: Mr. Justice Field.

(Mr. Justice Brewer and Mr. Justice Peckham took no part in the consideration and decision of this case.)

137. Elena Campbell, vs. Plff in Error Georgeann Porter, Carlile P. Porter et al. In Error to the Supreme Court of the District of [illegible]

This cause came on to be heard on the transcript of

of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed, without costs to either party; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr Justice Grier

(Mr. Chief Justice Taney took no part in the consideration and decision of this case)

Alex. H. Crain, Plff in Error, vs. The United States. } In Error to the District Court of the United States for the Western District of Arkansas.

557.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said District Court that the defendant may be properly arraigned and plead to the indictment, and for further proceedings in conformity with law.

Dissenting

(per Mr Justice Nelson

Monday, April 20th, 1903. Continued

731. Jerry Wallace,
vs.
The United States.

In Error to the District Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby remanded to the said District Court with a direction to set aside the verdict and grant a new trial.

Per Mr. Chief Justice Fuller.

633. Charles Reide,
vs.
The People of the Territory of Utah.

In Error to the Supreme Court of the Territory of Utah.

It is ordered by the Court that notice returnable on Monday next, the 27th inst., be given to plaintiff in error of the motion to reform the judgment of this Court heretofore entered herein.

Per Mr. Chief Justice Fuller.

627. N. N. Baughn, next friend of Elizabeth Nobles,
vs.
Hines Millikens, Judge, etc.

Appellant,

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause is assigned for

argument on the first Monday of May next.

per Mr. Chief Justice Fuller.

1445. William N. Nicholand, Master and Claimant of the Steamship "Clandeboye," vs. Appellant. Lee Lemon, Master of the [illegible] Appellee.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the [illegible] Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, and of the arguments of counsel thereupon had, as well in support of as against the same, It is now ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1459. Lowry H. Humes, vs. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Monday, April 5th, 1875

Austin Babcock,
vs. Appellant,
The Thompson Brewing Co.

Petition for writ of certiorari to Supreme Court of Colorado Territory

685.

Consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, & on motion of Mr. Wells in support of & opposing the same, it is now ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice.

The Home Ins. Co.
vs.
The United States

Appellant,

Consideration of the motion to continue the cause until the next term.

689.

It is now ordered by the Court that said motion be, and the same is hereby denied, and the cause be, and hereby is ordered to be placed on the call for this day.

Per Mr. Chief Justice.

685. A. S. Churchill, Atty Genl, et al, Appts, vs. Oliver Ames et al.
686. A. S. Churchill, Atty Genl, et al, Appts, vs. George Lynch et al.
687. A. S. Churchill, Atty Genl, et al, Appts, vs. Henry L. Pierce et al.

It is ordered by the Court that these causes be, and they are hereby, restored to the docket for re-argument.

Per Mr. Chief Justice.

Millard F. Cook and Millard F. Cook
vs.
Maryland. Error to the Circuit Court of the United States for the Eastern District of [illegible]

296

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of [illegible] and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice [illegible]

Velina M. Fithian, Administratrix of Benjamin Fithian, deceased.
vs.
[illegible]. Appeal from the Court of [illegible]

298

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed with costs and interest, at the rate of six per centum per annum, from the date of the judgment of the Court of Claims, to the date of the mandate of this Court.

Per Mr. Chief Justice [illegible]

Monday, April 5th, 1897. Continued.

Certain Real Estate known as the
Gardo House and Grounds etc.
William B. Preston et al.,
vs. Appellants,
The United States.

Appeal from the
Supreme Court
of the Territory
of Utah.

On consideration of the motion to remand this cause, It is now here ordered by the Court that the judgment of the Supreme Court of the Territory of Utah in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the Supreme Court of the State of Utah for such further proceedings, as to law and justice may appertain, in conformity with the provisions of the joint resolution of Congress providing for the disposition of certain property now in the hands of the Receiver of the Church of Jesus Christ of Latter Day Saints, approved March 28, 1896.

Per Mr. Chief Justice

The United States,
vs. Appellant,
Certain Real Estate known as the
Gardo House and Grounds etc.
B. Preston et al.

Appeal from
Supreme Court
of the Territory

On consideration of the motion to remand this cause, It is now here ordered by the Court that the judgment of the Supreme Court of the Territory of Utah in this Cause be and the same is hereby,

that this cause be and the same is hereby, remanded to the Supreme Court of the State of Utah for such further proceedings as to law and justice may appertain in conformity with the provisions of the joint resolution of Congress "providing for the disposition of certain property now in the hands of the Receiver of the Church of Jesus Christ of Latter Day Saints," approved March 3d, 1887.

Mr. Chief Justice Fuller delivered the opinion of the Court.

Certain Real Estate known as The Church Farm, Daniel Armstrong and Jesse N. Fox, Junior, Trustees, Appellants, vs. The United States. } Appeal from the Supreme Court of the Territory of Utah.

No. 300.

Upon consideration of the motion herein of the counsel for the appellants, it is now here ordered by the Court that the judgment of the Supreme Court of the Territory of Utah in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the Supreme Court of the State of Utah for such further proceedings as to law and justice may appertain, in conformity with the provisions of the joint resolution of Congress "providing for the disposition of certain property now in the hands of the Receiver of the Church of Jesus Christ of Latter Day Saints," approved March 3d, 1887.

Mr. Chief Justice Fuller

301. Certain Real Estate known as the Coal Lands &c. Angus M. Cannon Trustee, Appellants, vs. The United States. Appeal from the Supreme Court of the Territory of Utah

On consideration of the motion to remand
It is now here ordered by the Court that the judgment of the Supreme Court of the Territory of Utah in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the Supreme Court of the State of Utah for such further proceedings as to law and justice may appertain in conformity with the provisions of the joint resolution of Congress "providing for the disposition of certain property now in the hands of the Receiver of the Church of Jesus Christ of Latter Day Saints" approved March 28, 1896.

Per Mr. Chief Justice Fuller

302. The United States, Appellant, vs. Certain Real Estate known as the Tithing Yard and Offices, and William B. Preston et al, Appeal from the Supreme Court of the Territory of Utah

On consideration of the motion to remand this cause, It is now here ordered by the Court that the judgment of the Supreme Court of the Territory of Utah in this cause be, and the same is hereby

reversed; And that this cause be, and the same is hereby remanded to the Supreme Court of the State of Utah for such further proceedings to be had and justice may appertain, in conformity with the provisions of the joint resolution of Congress providing for the disposition of certain property now in the hands of the Receiver of the Church of Jesus Christ of Latter Day Saints, approved March 3d, 1887.

Per M. Chief Justice Fuller.

Ex parte: In the matter of William Lehon, Commissioner of Pensions, Petitioner. This cause was submitted to the consideration of the Court by M. Solicitor General Conrad and Mr. Assistant Attorney General Whitney, of counsel for the petitioner.

No. 681. John Stevenson, Plff in Error, vs. The United States. On motion of Mr. Solicitor General Conrad, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

No. 811. The Steamer "Coquillan" vs. Appellant, The United States. On motion of Mr. Solicitor General Conrad, of counsel for the appellee, it is ordered by the Court that this cause be, and the same

is hereby, advanced as under the Rule of Court.

804. The Steamer "Coquitlam" &c., vs. Appellant / The United States. The cause was submitted to the consideration of the Court on the record and printed argument by Mr. Carl Devereux Coudert, & Mr. Douglas Putnam for the appellant, & Mr. J. B. Allen and Mr. Maurice Winnett of counsel for the appellant and Mr. Solicitor General Conrad, of counsel for the appellee.

No. Max Cohen, Plff in Error, vs. The United States / Fol. R. D. Wheeloff, Plff in Error, vs. The United States. On motion of Mr. Solicitor General Conrad, of counsel for the defendant in error, It is ordered by the Court that these causes be, and they are hereby assigned for argument on the docket on Monday of the next term after the causes heretofore assigned for that day.

825. The United States, vs. Appellant / Madison J. Jackson. On motion of Mr. Solicitor General Conrad, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in the cause.

897. The Wayne Lumber Company, vs. Plff in Error / Calvin F. Coe. The motions to dismiss or affirm in this cause were submitted

to the consideration of the Court on the record, and printed arguments by Mr. [illegible] Smith, in support of the same, and leave was granted counsel for the plaintiff in error to file a brief in opposition thereto within [illegible]

Ex parte: In the matter of John Ambrose Petitioner. Mr. Albert A. Gray, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus herein.

576. Martin & Mill Rock Carrier Co., pl'ff in error, vs. Joseph C. Martin, Appellant. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court on printed arguments by Mr. Samuel Morris, Jr., in support of the same, and Mr. [illegible] in opposition thereto.

796. Joel Janney, pl'ff in error, vs. U. S. Dep. Marshal. Motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed argument by Mr. [illegible] in support of the same, and leave was granted counsel for the plaintiff in error to file a brief in opposition thereto within one week.

Monday, April 20th, 1846. Continued

No. The United States, Rob. Ewing vs. Melvin K. Sharp
No. The United States, Rob. Ewing vs. The Realty Co.

On motion of Mr. Solicitor General, and, it appearing to the Court that these causes be heard, as one case, and that Counsel on each side be allowed two hours additional time for the argument:

The Charleston Bridge Company, Appellant, vs. Daniel E. Hughes, Master of the Schooner John & Harvey, and D. Cohen, Managing owners of the Tug Relief. } Appeal from the District Court of the United States for the District of South Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney.

Cecilia F. Link,
vs.
The Union Pacific Railway Company.

In Error to the Supreme Court of the State of Wyoming.

No. 163.

This cause having been called for hearing in its regular order, and it appearing to the Court that the printed record required to be filed in the case is not filed in the clerk's office of the Court, as required by the rules of this Court, and by the record of the case, it is therefore, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

The Illinois Central Railroad Company,
vs.
William Walker.

In Error to the Supreme Court of the State of Illinois.

No. 211.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Edward Mayes and Mr. James Hentress, of counsel for the plaintiff in error, and Mr. L. Bradley, of counsel for the defendant in error.

The Union Pacific Railway Company,
vs.
Irwin D. Ellis.

In Error to the United States Circuit Court of Appeals for the Ninth Circuit.

No. 215.

This cause having been called for hearing in its

Monday, April 10th, 1876. Continued

regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice

237. Thomas Farmer, Plff in Error, vs. The National Life Association of Hartford, Connecticut, Def't in Error. In Error to the Circuit Court of the United States for the Eastern District of

Appearing to the Court that a stipulation of counsel for the respective parties to dismiss the writ of error in this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice

233. Mary M. Black, Admx &c., Plff in Error, vs. Mary A. E. Blair, Def't in Error. This cause was argued by Mr. Henry Budd, of counsel for the plaintiff in error, and Mr. Arthur Dodge, of counsel for the defendant in error.

Wednesday, April 26th, 1858 Continued

235. Wm. M. Wheeler et al, vs. J. C. Cooper et al. Appellants

Wm. A. Tompkins, of Counsel for the appellants suggested the death of N. N. Borah, one of the appellants herein and moved the Court to make Sarah A. Borah, the Executrix and legatee of the said N. N. Borah a party appellant herein. Whereupon, It is now here ordered by the Court that the said Sarah A. Borah, sole Executrix and legatee of N. N. Borah, deceased, be and she is hereby made a party appellant in this cause.

235. Wm. M. Wheeler et al, vs. Appellants, J. C. Cooper et al.

The argument of this cause was commenced by Wm. A. Tompkins, of Counsel for the appellants. The Court directed it to be further continued.

236. William H. Smith, vs. Allen Bros, Benjamin Richard

This cause was submitted to the consideration of the Court on the record and printed arguments by Wm. Lysander Hill, of Counsel, for the plaintiff in error, and Mr. J. D. Quarles and Wm. Reese H. Voorhees, of Counsel for the defendants in error.

Monday April 30th 1866 Continued

The Northern Pacific Rail-
road Company
vs. Affirmation
248.

Decree case
argued by Mr. A
& Gordon of
Defendant & com
by Mr. C
and submitted on argument by Mr. C
C. Bunn, of Counsel for the Plaintiff

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock M.

Tuesday, April 21st. 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John Marshall Harlan
Horace Gray
David J. Brewer Associate
Henry B. Brown Justices.
George Shiras Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal;
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Wm. H. H. Doolittle, it is ordered that Frances A. Knight, Esquire of Alexandria, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he took the oath accordingly

Edward Joseph Phelps
Wm. Hoffman
George H. Miller

On motion of Mr. Joseph Wheeler, of counsel for the defendant in error

It is ordered by the Court that the mandate in this cause be stayed for one week after the 2nd instant.

The Union Pacific Railway Co, et al.
vs. Appellants.
The Chicago Rock Island & Pacific Ry Co
The Union Pacific Railway Co,
vs. Appellants
The Chicago, Milwaukee & St Paul Ry Co
The Union Pacific Railway Co, et al.
vs. Appellants,
The Chicago, Rock Island & Pacific Ry Co
The Union Pacific Railway Co
vs. Appellants
The Chicago, Milwaukee & St Paul Ry Co

On motion of Mr. J. M. Woolworth of counsel for the appellants leave is granted to withdraw the appearance of Mr. Geo. A. Peck as counsel in these cases and the same are ordered to stand for hearing on the printed briefs of counsel.

Cases to be commenced by Mr. Edward Bates of counsel for the appellants and continued by Mr. J. M. Woolworth, of counsel for the appellee in Nos. 11 and 57, and Mr. Geo. A. Peck, of counsel for the appellee in Nos. 57 and 58.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock A.M.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal,
Jerrold H. McHenry, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. M. Stockslager it is ordered that George Haldorn, Esquire, of Butte, State of Montana, be admitted to practice as attorney and counsellor of this Court and thereon takes the oath prescribed by law.

No. 41. The Union Pacific Railway Co., et al., Appellants, vs. The Chicago, Rock Island & Pacific Ry Co.

No. 42. The Union Pacific Railway Co., Appellant, vs.

The argument of these cases was continued by Mr. George F. Edmunds for the appellants, and by Mr. Joseph H. Choate for the appellees, and concluded by Mr. Edmunds.

Wednesday, April 9th, 1890. Continued.

The Union Pacific Railway Co. Ap'lt.,
557. vs. Appellants.
The Chicago, Rock Island & Pacific Ry Co.
The Union Pacific Railway Co,
555. vs. Appellant,
The Chicago, Milwaukee & St. Paul Ry Co.

Appeals in Nos. 557 and 555, and submitted by Mr. John [illegible] Thurston, of Counsel for the Appellants.

No. The United States, Plff in Error, vs. Andrew N. Lacy
570. The United States, Plff in Error, vs. The Railway Co.

On motion of Mr. Joseph H. Choate [illegible] Counsel for the defendants in error leave is hereby granted to three Counsel to argue the cases for the defendants in error.

569. The United States, Plff in Error, vs. Andrew Mckay
570. The United States, Plff in Error, vs. [illegible]

Reargument of these cases was commenced by Mr. Assistant Attorney General Whitney, of Counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow 10 o'clock A.M.

Thursday, April 23d, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras Jr.,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf, by Mr. Arthur Brown it is ordered that George W. Bartch, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an attorney and counsellor of this Court and he was thereupon accordingly

No. The United States, Plff in Error, vs. Andrew N. Gay.
No. The United States, Plff in Error, vs. Ed. Kelly & Co.

The argument of these cases was continued, by Mr. Assistant Attorney General Whitney, of counsel for the Plaintiff in error, and Mr. Charles F. Mandeson and Mr. Joseph H. Choate, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.,
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James D. McKenney, Esq.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf, by Mr. Joseph H. Choate it is ordered that William Henry Button, Esquire, of Middlebury, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Daniel it is ordered that John William Mitchell, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

785 The Farmers Loan & Trust Company, Trustee, &c., vs. Appellant, Charles Beck.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

Suggesting to the Court that a stipulation of counsel for the respective parties to dismiss has been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Fuller.

The Farmers Loan & Trust Company, Trustee, &c., vs. Appellant, Charles Beck.

It is ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the mandate herein.

No. The United States, Plff in Error, vs. Andrew H. Gay.
No. The United States, Plff in Error, vs. [illegible]

The argument of these cases was continued by Mr. Thomas J. Semmes, of counsel for the defendants in error, and concluded by Mr. Solicitor General Conrad, of counsel for the plaintiff in error.

Rose L. Sutherland et al Executors &c., Plff in Error.

The argument of this cause was commenced by

Friday, April 24th, 1896. Continued.

Mr. Attorney General Harmon of counsel for the plaintiffs in error, and continued by Mr. J. P. Dueber, of counsel for the defendant in error.

113. Theodore Hansen, } In Error to the Circuit Court
vs. } of the United States for the
James E. Boyd Survivor. } District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by Counsel. On consideration whereof, the defendant in error having produced and filed a certified copy of the remittitur of $1350.00, with interest from June 5, 1889, to the date of the verdict herein, making the aggregate sum of $1,443.00 as provided by the order entered herein by this Court on April 13, 1896, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, less the said sum of $1,113.00; Costs in this Court to be paid by the defendant in error.

Per Mr. Justice

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 27th 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion filed made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Theodore P. Garrow, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and have certificate accordingly.

On motion filed made to the Court in this behalf by Mr. A. A. Hunt it is ordered that William A. Coolidge, William B. French, and Harry J. Jaquith, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and have certificate accordingly.

Monday, April 9th, 1855. Continued.

685. John D. Lee
vs.
Henry C. Brown, Executor of
Jane C. Brown, deceased

In Error to the
Supreme Court
of the State of
Colorado

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Per Mr. Justice Wayne)

584. George N. Wilson
vs.
The United States.

In Error to the Circuit Court of the United States for the Western District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

(Per Mr. Chief Justice Taney)

The Board of Town Inspectors for the Port of New Orleans et al., Appellants, vs. Mark F. Glover et al.

It is ordered by the Court that the judgment entered herein on March 2d, 1896, be and the same is hereby amended by adding thereto the words "the costs below to be dealt with by the Circuit Court"; and that the petition for rehearing be and the same is hereby

Per Mr. Chief Justice Fuller.

No. 1991. Jeremiah P. Nauman, Appellant, vs. Anthony Thomas et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby granted.

Per Mr. Chief Justice Fuller.

No. 1992. Jacob M. Nauman, Appellant, vs. Jeremiah P. Naumann et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

Upon consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals

Monday, April 27th, 1896.

for the Seventh Circuit, and of the argument of Counsel thereupon had, as well in support of, as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, granted.

(per Mr. Chief Justice [illegible])

Martin Hill Cash, Carrier Company, Appellant, vs. Joseph C. [illegible]

No. 956. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

(per Mr. Chief Justice [illegible])

Ex Parte: In the matter of John Anebro. Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(per Mr. Chief Justice [illegible])

Brooks Mackall,
611. vs. Appeal
Hosted Hillsborough

It is ordered by the Court that the further consideration of the motion to dismiss herein be, and the same is hereby, postponed, until the hearing of the cause on its merits.

Per Mr. Chief Justice Fuller.

William A. Smith,
236. vs. Writ in Error
Benjamin Selleck.

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The Illinois Central
Railroad Company,
211. vs. Writ in Error
William Walker.

In Error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration

whereof, It is now here ordered and adjudged, by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

Mary M. Bluer, Administratrix of Calvin A. Bluer, deceased, Plff in Error
vs.
Mary A. L. Stone

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania

233

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

M. M. Wheeler et al,
vs.
J. G. Cooper et al

Appellants,

Appeal from the Circuit Court of the United States for the Southern District of Illinois

235.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the

same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

Charles Reide,
vs.
The People of the Territory of Utah

633 It is ordered by the Court that the mandate in this cause issue to the Supreme Court of the State of Utah

Per Mr. Chief Justice Fuller

Gilmore G. Scranton,
vs.
Effie Ewer,
Thos. J. Lowrie

In Error to the United States Circuit Court of Appeals for the Sixth Circuit,

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of counsel for the defendant in error, and on motion signed by counsel for the respective parties, to reverse the judgment herein and remand the cause to the Circuit Court of the United States for the Western District of Michigan with instructions to remand it to the State Court having been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed, the costs in this Court, the United States Circuit Court of Appeals and in the Circuit Court of the United States to be paid by the defendant

in error; and that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Western District of Michigan with instructions to remand it to the Circuit Court of Chippewa County, State of Michigan.

Per Mr. Chief Justice [illegible]

Gilmore & Scranton,
vs. Writ in Error,
992. Thos. S. [illegible]

On motion of Mr. Solicitor General, Counsel of Counsel for the defendant in error, leave is hereby granted the Court to issue the mandate in the [illegible]

The United States et al.,
vs. Writ in Error,
997. & Henry Perkins, County Treasurer &c.

Mr. Solicitor General Conrad, of Counsel for the plaintiffs in error, submitted to the consideration of the Court the motion to advance these cases.

The United States,
vs. Writ in Error,
828. Asahel P. Fitch, Complainant

C. S. Wight,
vs. Writ in Error,
970. The United States

On motion of Mr. Solicitor General Conrad, of Counsel for the defendant in error, It is now here ordered by the Court that these causes be, and they are hereby,

Albert L. France et al.,
vs. Writ in Error,
971. The United States

advanced and assigned for argument on the

second Monday of the next term after the cases heretofore assigned for that day.

183 Wm. Alberty alias Charles Brown, vs. Riffin Sam, The United States. Motion of Mr. Solicitor General Conrad, of counsel, for the defendant in error leave is hereby granted the Clerk to issue the mandate in this cause.

97 The United States, vs. Appellant, Advocate Stanley. The petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Solicitor General Conrad, in support of the same, and Mr. Charles Curie, Mr. W. Wickham Smith and Mr. David Ives Mackie, in opposition thereto.

182 Daniel Hamer, Tax Collector, vs. Appellant, Ogden City. The motion to remand this cause to the Supreme Court of the State of Utah was submitted to the consideration of the Court by Mr. Arthur Brown in support of the same.

Monday, April 9th, 1900

No. 162. Quincy A. Mason vs. Missouri, Kansas & Texas Coal Co. et al. The petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit to bring up the entire record in this case was submitted to the consideration of the Court by Mr. Stewart Gilchrist and Mr. J. P. Wade, in support of the same.

No. 176. Frank L. Neall, Trustee &c., vs. John J. Schrader et al. Appellant. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry Flanders and Mr. Edward F. Pugh, in support of the same, and Mr. J. Rodman Paul and Mr. John G. Johnson, in opposition thereto.

No. 214. William Starling, vs. Appellant, The Weir Hoe Co., et al. The petition for writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court by Mr. John M. Gilman in behalf of William Starling.

No. 156. Julius Hollander et al. vs. Appellants Martin S. Fleischmann et al. On motion of Mr. James [illegible] Smith, Jr., it

for the appellee, leave is hereby granted the Clerk to issue the mandate herein.

No. 163. The Morse Arms Manufacturing Company, vs. The United States. Appeal from the Court of Claims.

This cause having been called to the attention of the Court by Mr. J. A. Killon, of counsel for the appellant, and he having moved the Court to dismiss the appeal, Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the appeal herein be and the same is hereby dismissed.

Per Mr. Chief Justice Fuller.

No. 163. The Western Union Telegraph Co., Appellant, vs. A. B. Daly, Trustee. Mr. William A. Kelcham, of Counsel for the appellee, submitted.

On the consideration of the Court's motion to advance

No. 339. The American Express Co., Plff in Err, vs. The State of Indiana.
No. 340. The Adams Express Co., Plff in Err, vs. The State of Indiana,
and
No. 341. The United States Express Co., Plff in Err, vs. The State of Indiana.

Mr. William A. Kelcham, of counsel for the defendant in error, submitted to the consideration of the Court motions to advance these cases

Monday, April 27th, 1891

257. The Western Union Telegraph Company, Plff in Error, vs. The City of Chester. In Error to the Supreme Court of the State of Pennsylvania.

It appearing to the Court that an authority, of counsel for the plaintiff in error to discontinue the writ of error in this cause has been filed, therefore in pursuance of said authority, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Fuller.

414. National Accident Society, Plff in Error, vs. Fannie Spies. This cause was submitted on the consideration of the Court on the record and printed arguments by Mr. A. D. McBurney, of Counsel for the plaintiff in error, and Mr. W. A. Ingersoll, of Counsel for the defendant in error.

508. Rose L. Sallonstall et al, Executors, Plffs in Error, vs. Joseph Dickerson. The argument of this cause was continued by Mr. Edward Hartley, of Counsel for the defendant in error, and concluded by Mr. Assistant Attorney General Whitney, of Counsel for the plaintiffs in error.

The State of Indiana, }
2 Original. vs. Complainant.
The State of Kentucky }

Mr. William A. Ketcham, of counsel for the Complainant, (presented the report of the Commissioners heretofore appointed in this cause to run the boundary line between the State of Indiana and Kentucky and a motion to confirm said report, and Mr. R. H. Cunningham, of counsel for the defendant, (presented exceptions to said report and motion to remand the report to said Commissioners, which were severally ordered to be filed.)

The State of Indiana, }
2 Original. vs. Complainant.
The State of Kentucky }

The motion to confirm the report of the Commissioners herein was argued by Mr. William A. Ketcham, in support of the same, and Mr. R. H. Cunningham, in opposition thereto.

Emma J. Gonzales, }
247. vs. Appellant.
E. H. Francis, }

The argument of this cause was commenced by Mr. S. D. Luckett, of counsel for the Appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 8th 1890.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras Jr.
Edward D. White,
John M. Wright Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

A motion is first made to the Court in this behalf, by Mr. Solicitor General Conrad it is ordered, that Ralph W. Breckenridge Esquire of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he received accordingly.

Eugenia Crimp, Executrix &c., Appellant,
vs.
McCormick Construction Co.

The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the Court on printed arguments by Mr. John N. Jewett, in support of the same, and Mr. Charles M. Stuges, in opposition thereto.

1555

Daniel Hume, Late Collector, &c.,
137. vs. Appellant,
Cuzco Valley

On motion of Mr. J. M. Wilson leave is hereby granted him to file a brief in opposition to the motion to remand this cause to the Supreme Court of the State of Utah.

Emma J. Gonzales,
217 vs. Appellant,
S. Hutchinson et al.

Reargument of this cause was concluded by Mr. S. D. Luckett, of counsel for the appellant. No counsel appeared for the appellees.

The United States,
218. vs. Plff in Error,
Henry L. Dalton

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. Solicitor General Conrad, of counsel for the plaintiff in error, and Mr. Lewis Maltby Jr. of counsel for the defendant in error.

The Southern Pacific Co.,
251. vs. Plff in Error,
Peter F. Tumey et al.

This cause was argued by Mr. J. Hubley Ashton, of counsel for the plaintiff in error, and Mr. R. C. Sherwood, of counsel for the defendant in error.

Tuesday, April 25th, [illegible]

Arthur D. McClellan vs. Riffin Bros.	Arrangement of these cases commenced by Wm. A. Stewart, of Counsel for the [illegible]
252. George H. Chipman, Assignee, &c. vs. The Traders National Bank, Riffin Bros.	
253. George H. Chipman, [illegible]	

Proclamation being made the Court is adjourned until tomorrow [illegible]

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles F. Buck it is ordered that J. Zach. Spearing, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and thereupon accordingly he

No. 763. Mrs. Annie Comitz, widow of Lorello Comitz, Plff in Error, v. H. N. Pardeson, Walter D. Young, & Albert Baldwin, Jr. } In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore in pursuance

Wednesday, April [illegible]

of the 10th rule of this Court now hereby ordered, and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice [illegible]

The State of Washington on the relation of P. S. Battersby and R. W. Battersby,
vs. Plff in Error,
264. The Board of Tide Land Commissioners of Whatcom County et al

Writ of Error to the Supreme Court of the State of Washington

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record herein, therefore, in pursuance of the 10th rule of this Court, it is ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice [illegible]

Arthur D. McClellan,
vs. Plff in Error,
252. George W. Chipman, Assignee, et al

The Traders National Bank,
vs. Plff in Error,
253. George W. Chipman, Assignee [illegible]

Reargument of these cases was continued for Mr. William B. French, of Counsel for the defendant in error, and concluded by Mr. [illegible]

Coolidge, of Counsel for the Plaintiffs in Error

The Union National Bank of Chicago,
vs. } In Error
The Louisville, New Albany & Chicago Railway Co.

251.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry S. Robbins, of Counsel for the plaintiff in error, and Mr. George H. Harlow, of Counsel for the defendant in error.

Benjamin R. Forman,
vs. } In Error,
Mrs. Rose Chappin et al.

255.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. E. N. McCabe, of Counsel for the plaintiff in error. No counsel appeared for the defendants in error.

The United States,
vs. } In Error
Alfred N. Blair et al

256.

This cause was argued by Mr. Assistant Attorney General Dodge, of Counsel for the appellant, and Mr. James Lowndes, of Counsel for the appellees.

The Texas & Pacific Railway Co.,
vs. } In Error,
Mary Gentry et al.

This cause was argued by Mr. John A. Wilson, of Counsel for the

Wednesday, April 15th, 1874

Plaintiff in error, and Mr. R. Leetand appeared for the defendants in error

259. James C. Edwards
vs.
Hiffington
Bates County impleaded &c
behalf of Mr. Hanson Reynolds

Record was submitted to the consideration of the Court on the Record and a printed argument by Mr. P. K. Skinker, of Counsel for the plaintiff in error. No counsel appeared for the defendant in error

260. Frank Hanford
vs.
Geiffick Dennis

Argument of the case was commenced by Mr. James B. [illegible]

Counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at the usual hour

Thursday April 30th, 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras Jr.
Edward D. White
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened;

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that Stephen M. Weld Esquire of Washington City, and Michael J. Colbert, Esquire, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they severally were accordingly sworn accordingly.

No. 979. James Foster, Plff in Error, vs. Dillwyn Wistar, Clinton Wardell and Roger S. Mungen. In Error to the Supreme Court of the State of Pennsylvania.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the

record. It is therefore in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

(Per Mr. Chief Justice [illegible])

No. Frank Mumford, Plaintiff in Error, vs. Griffith [illegible] et al. Defendants in Error. The argument of this cause was concluded by Mr. James B. Howe, of counsel, for the appellant, and the cause was submitted on a printed argument by Mr. James Hamilton Lewis, of counsel for the [illegible].

No. George P. Webster et al., Appellants, vs. Association [illegible]. This cause was argued by Mr. A. J. Hamilton, of counsel for the appellants, and Mr. Stephen A. Hurlbut, of counsel for the appellee.

No. The First National Bank of Aberdeen, Plaintiff in Error, vs. The County of Chehalis et al. This cause was argued by Mr. James B. Howe, of counsel for the plaintiff in error, and Mr. [illegible] H. Haight, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, May 1st, 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Rufus W. Peckham
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Edward E. Blodgett and Ralph W. Foster, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court in this behalf by Mr. George E. Hamilton it is ordered that Francis A. Brogan, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was severally accordingly.

279. Amado Chaves et al. Appts, vs. The United States et al.
280. The Pueblos of Tesuque, Santa Clara &c, Appts vs. The United States et al.
281. Manuel Crespin et al, Appts, vs. The United States.
282. Lambert Sandoval et al, Appts vs. The United States et al.

On motion of Mr. Solicitor General Conrad, of Counsel for the appellees, It is ordered by the Court that these causes be, and they are hereby, continued until the next term.

308. The Germania Iron Co., et al., Appellants vs. The United States.

On motion of Mr. Solicitor General Conrad of Counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

186. The United States, Appellant vs. Saml. B. Coe.

On motion of Mr. Solicitor General Conrad of Counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, for default of record.

267. Samuel G. Hilborn, Appellant, vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles King and Mr. William G. King, of Counsel for the appellant

Assistant Attorney General Dodge, of counsel for the appellee.

765. The Supreme Lodge, Knights of Pythias of the World vs. Affirmed. Error, Mrs. Eugenia Hollowell.

This cause was argued by Mr. Jack Spearing, of counsel for the plaintiff in error, and Mr. M. Marks, of counsel for the defendant in error.

773. William Prege, vs. Appellant. H. N. Lodge et al.

This cause was argued by Mr. B. Fay, of Counsel for the appellant, and Mr. Arthur Brown, of Counsel for the appellee.

776. The Day "Glide" Gardeners, vs. Affirmed. Error, The Atlanta Hardware Company.

This cause was argued by Mr. Edward E. Blodgett, of counsel for the plaintiffs in error, and Mr. Ralph K. Wells, of Counsel for the defendant in error.

777. William Purfenning, vs. Affirmed. Error, The Chicago, St. Paul, Minneapolis & Omaha Railway Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Simeon L. Laurence, of counsel for the plaintiff in error, and Mr. Francis Wilson, of counsel for the defendant in error.

Monday, May 4th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field,
John M. Harlan,
Horace Gray,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
Associate Justices.

John M. Wright, Esquire, Marshal,
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Harmon it is ordered that Frank C. Loveden, Esquire, of Chicago, Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David B. Hill it is ordered that David McClure, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Shafroth it is ordered that [illegible]

Diver, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was so sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. H. Bristow it is ordered that John W. Houston, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was so sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. C. Fletcher it is ordered that Delbert C. Sprague, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Vilas it is ordered that Francis B. Brockett, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Western Union Telegraph Company, Plff in Error, vs. David H. Jones. Deft. } In Error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript

the record from the Supreme Court of the State of Georgia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Peckham

Dissenting:
Mr. Justice Shiras and
Mr. Justice White.

573. Warren F. Putnam, Plff in Err. vs. The United States
571. Warren F. Putnam, Plff in Err. vs. The United States

It is ordered by the Court that the judgments entered in these cases by this Court on February 3, 1896, be, and the same are hereby, vacated and set aside.

Per Mr. Justice White.

Warren F. Putnam, Plff in Err.
573. vs.
The United States

In Error to the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause under the seventh Circuit be, and the same is hereby, affirmed, and the said judg-

ment as to the second count be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for such proceedings with reference to said second count as may be in conformity to law.

Per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice Brewer and
Mr. Justice Brown.

574. Warren F. Putnam, Plff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and was argued by Counsel thereupon, whereof, It is now here ordered and adjudged, by this Court that the judgment of the said Circuit Court in this cause as to the seventh count be, and the same is hereby, affirmed, and the said judgment as to the second count be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for such proceedings with reference to said second count as may be in conformity to law.

Per Mr. Justice White.

Dissenting:
Mr. Chief Justice Fuller,

Monday, May 4th, 1896. Present:

801. Francis A. Coffin, Plaintiff in Error, vs. The United States. In Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby affirmed.

Per Mr. Justice Shiras.

244. George E. Kirk, Appellant, vs. The United States. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Justice Brown.

The Farmers Loan & Trust Company, Complainant, vs. The Chicago, Portage & Superior Railway Company, The Chicago, St. Paul, Minneapolis & Omaha Railway Company et al. Defendants. Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

(Per Mr. Justice Brewer.)

No. 225. Horace Higgin and A. E. Higgan, Plaintiffs in Error, vs. Albert E. Higgin et al. Defendants in Error. In error to the Supreme Court of the State of Illinois.

It is ordered by the Court that the title of this cause be amended so as to read as follows, Albert E. Higgan, Plaintiff in Error, vs. Alexander Conolly and John King.

(Per Mr. Justice Brewer.)

No. 225. Albert E. Higgan, Plaintiff in Error, vs. Alexander Conolly et al. Defendants in Error. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript

of the record from the Supreme Court of the State of Kansas and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.

730. Nannie Dibble, Plff in Error, vs. The Bellingham Bay Land Company. In Error to the Supreme Court of the State of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

726. Joel Yancey, Plff in Error, vs. P. C. Ivy and C. A. Bennett. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motions to dismiss or affirm which were argued by Counsel. On consideration

whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

707. The Wayne Lumber Company vs. Affg in Error, Calvin F. Collins and Frank C. Brewer, surviving partners of C. F. Collins & Company. In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

237. The United States, Affg in Error, vs. Charles R. Allen,
459. The United States, Affg in Error, vs. [illegible],
828. The United States, Affg in Error, vs. [illegible],

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the causes will be taken on submission on printed briefs on or before Friday, the 5th instant.

Per Mr. Chief Justice Fuller.

604. William Starling, Appellant
vs.
The Weir How Company et al.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, It is now here ordered by the Court that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

597. Daniel Hamer, Tax Collector of Weber County, Utah, Appellant
vs.
Ogden City.

Appeal from the Supreme Court of the Territory of Utah.

On consideration of the motion to remand this cause to the Supreme Court of the State of Utah, and the argument of counsel thereupon, had, as well in support of as against the same,

It is now here ordered by the Court that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah, for further proceedings in conformity to law.

Per Mr Chief Justice Fuller.

The Western Union Telegraph Co.
963. vs. Appellant,
A. C. Dealy, Jr., et al.

The American Express Company,
934. vs. Plaintiff in Error,
The State of Indiana.

The Adams Express Company,
940. vs. Plaintiff in Error,
The State of Indiana.

The United States Express Co.,
944. vs. Plaintiff in Error,
The State of Indiana.

On consideration of the motions to advance these cases, it is now here ordered by the Court that said motions be and the same are hereby granted, and the cases assigned for argument as one case, on the second Monday of the next term, after the cases heretofore assigned for that day.

Per Mr. Chief Justice Fuller.

Quincy A. Shaw,
962. vs. Plff in Error,
Murray McKelvey et al.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit to bring up the entire record in this cause, and of the argument of counsel in support of the same,

It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1896. The United States } On a petition for a writ of
vs. } certiorari to the United States
Alexander Murphy & Co. } Circuit Court of Appeals for the
Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

Per Mr. Chief Justice Fuller.

1896. Francis L. Neall, Trustee, } On petition for writ of
Owner of the Steam tug "Battler," } certiorari to the United
vs. } States Circuit Court of
John J. Sokander. } Appeals for the Third

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

955. Eugenia Crimp, Executrix &c., Appellant, vs. McCormick Construction Company et al. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support thereof as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of William Lochren, Commissioner of Pensions, Petitioner. On consideration of the petition for a writ of mandamus herein and of the argument of counsel thereupon had in support of the same, It is now here ordered by the Court that the writ of mandamus as prayed be directed to the Judge of the District Court of the United States for the Eastern District of New York commanding him to direct the issue of a subpoena as prayed in said petition.

Per Mr. Chief Justice Fuller.

Monday, May 4th, 1896, Continued

255. Benjamin A. Forman, Plff in Error, vs. Mrs. Rose Chopin, wife of Chas. Miguel Conveubier, Pedro Mayer & Conveubier. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by Counsel. On consideration whereof and it appearing that no certificate of the question of jurisdiction of the said Circuit Court was duly made and filed therein, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice

256. The United States, Appellant, vs. Alfred N. Ellis et al.

It is ordered by the Court that leave be, and the same is hereby, granted Counsel to re-submit this cause to a full bench on printed Briefs

Per Mr. Chief Justice

175. Ana J. Dominguez de Luyer et al., Plffs in Error, vs. William Barbour.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for reargument before a full

303. The United States, Appellant vs. William J. Gordon, Appellee. On motion of Mr. Solicitor General Conrad, of counsel for the appellant, It is ordered by the Court that this cause be and the same is hereby continued until the next term.

304. The United States, Appellant vs. Hong Kim Ark. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Conrad, of counsel for the appellant, and Mr. Thomas D. Riordan, of counsel for the appellee.

305. J. N. S. Hibon et al., Plffs in Err vs. The United States. Mr. Solicitor General Conrad, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause and leave was granted Mr. W. Hallett Phillips of counsel for the plaintiffs in error to file a brief in opposition thereto forthwith.

610. Joel Parker Whitney et al., Appts, vs. The United States et al.
501. The United States Appt, vs. Julian Sandoval, et al.
487. The Northern Land & Cattle Co. Appt vs. The United States
625. Brian L. Berger et al, Appts vs. The United States
627. The United States, Appt, vs. Elroy S. Kenyon et al.
354. J. B. Wesson et al, Appts, vs. The United States

Monday, May 4th, 1896, Continued

349 William Pinkerton et al., Admrs. &c. vs. The United States
348. Santiago Sinsa, Admr &c. Appt vs. The United States
347. Santiago Sinsa, Admr &c. Appt vs. [illegible]
345. Juan Pedro Camou, Appt vs. The United States
350. Robert Strain, Appt vs. The United States

Mr. Solicitor General submitted to the consideration of the Court a motion heretofore filed

James A. Shreve et al., vs. Riffle & Son, Walter S. Freeman et al. 996. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted, to the consideration of the Court on printed arguments by Mr. Ryan S. Sines, in support of the same, and leave was granted Mr. J. F. Shafroth to file brief in opposition thereto on or before Monday next.

The American State Bank &c. et al. vs. The Farmers' Loan & Trust Co. Thaddeus S. Clarkson, Receiver &c., Appellant, vs. The Farmers' Loan & Trust Company 994. 995. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. John L. Webster in support of the same and

in opposition thereto.

Ex parte: In the matter of Thomas C. Chappell, Petitioner. Mr. Thomas C. Chappell submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

985. Joseph Frankel & Sons, vs. Appellants, The United States. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on a printed argument by Mr. H. Flexham Smith, Mr. Charles Purdy and Mr. David Dudley Field, in support of the same, and leave was granted Mr. Assistant Attorney General Whitney to file a brief in opposition thereto.

1019 J. W. Carey et al., vs. The Houston & Texas Central Railway Company et al. The motion for an order directing the Clerk to omit from the mandate in this cause any provision granting costs to the appellees was submitted to the consideration of the Court on printed arguments by Mr. Y. H. Landale, in support of the same, and Mr. J. Hubley Ashton and Mr. A. Wolfe in opposition thereto.

416. The Union Iron Works
v. Appellant
Ella L. Smith Executrix &c.

Mr. Cullen English, of Counsel for the appellant submitted the consideration of the Court a motion to extend

J. N. Matthews & Co.,
187. v. Appellees
A. B. Mason et al.

The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Edward C. Bridgett and Mr. Eugene C. Brennan in support of the same

The Steamship Ceres &c.
992. v. Appellants
Gerhard Meyers et al.
Svithiod &c. Angfartygs Aktiebolaget,
993. v. Appellant,
Gerhard Meyers et al.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. J. Parker Norton, in support of the same, and Mr. Harrington Putnam, in opposition thereto

Alex. H. Crain,
257. v. Appellee
The United States

On motion of Mr. A. C. Bleakley of Counsel for the plaintiff [illegible] hereby granted the

to issue the mandate in this cause.)

965. Henry Watkins
vs. Affn in Error
W. H. Mallonee et al

Mr. Maynard F. Stiles, of Counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

657. Mary J. Garner
vs. Appellant,
The Second National Bank of Owensboro et al

The petition for writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit was submitted to the consideration of the Court on printed arguments by Mr. Alexander Stein in support of the same, and Mr. A. B. Browne, Mr. A. T. Dillon and Mr. James Billinghurst in opposition thereto.

967. Henry C. Rouse (Receiver &c.,
vs. Affn in Error,
John E. Hornaday

The petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed argument by Mr. A. B. Browne, Mr. A. T. Dillon, Mr. James Hagerman, and Mr. F. M. Sedgwick, in support of the same, and leave was granted Mr. Nelson Case to file a brief in opposition thereto. On motion of Mr. A. B. Browne leave was granted to

this petition

M. M. Baughn next friend of Elizabeth Nobles,
vs. Appellant,
287. Hines Millicans, Jailer, S. S. Appeal from the Circuit Court of the United States for the Southern District of
Arscott, Sheriff &c. Thomas Sheriff

This cause having been called for hearing in due regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice

David F. Campbell,
vs.
283. Appellee,
Alfred S. Ellet, by John A. This cause was submitted to the Court on the record, and printed arguments by Mr. L. C. Rountree, of Counsel for the plaintiff in error, and Mr. John F. Hasbrouck, of Counsel for the defendant in error.

M. M. Risen,
vs.
287. D. M. Langford. Appeal from the Circuit Court of the United States for the District of [illegible]

This cause having been called for hearing in due

regular order, and it appearing to the Court, that the Parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed, with costs.

(Per Mr. Chief Justice Fuller.)

288. H. N. Ouzle, Appellant, vs. (J. M. Wood.) Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court that the Parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed, with costs.

(Per Mr. Chief Justice Fuller.)

289. The Central Pacific Railway Co., Appellant, vs. The United States. It is ordered by the Court that this cause be, and the same is hereby continued until the next term, per stipulation of counsel.

Monday, May 4th, 1896. Continued

James Huntington
928. vs. Appellant
William A. Saunders

Motion to dismiss in the cause, submitted to the consideration of the Court on the record and printed arguments by Mr. William B. Durant in support of the same, and Mr. Bancroft S. Davis in opposition thereto.

The Union Pacific Railway Co.
970. vs. Plff in Error
Granville G. Johnson

This cause was argued by Mr. John M. Thurston, of counsel for the plaintiff in error, and Mr. Francis A. Brogan of counsel for the defendant in error.

The Rio Grande Western Railway Co.,
985. vs. Plff in Error
Frank Lee

This cause was argued by Mr. Edwin H. Foster, of counsel for the defendant in error, and submitted on a printed argument by Mr. C. W. Bennett, of counsel for the plaintiff in error.

George H. Grayson et al.,
990. vs. Appellants
George Lynch et al

Reargument of this cause was commenced by Mr. F. B. Carlton of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made, the Court opened.

No. 6, Original. The State of Missouri, Complainant vs. The State of Iowa.

Mr. John F. Lacy, in behalf of Counsel, by leave of the Court, filed and submitted to the consideration of the Court a stipulation of counsel extending the time within which to retrace and mark the boundary line between the two States parties hereto until [illegible]

No. 1586. S. H. S. Hibory et al., Appellants, vs. The United States.

On consideration of the motion to advance this cause and of the argument of counsel thereupon had as well in support of as against,

said motion be, and the same is hereby granted and the cause assigned for argument on Monday the 18th instant.

306. The Territory of New Mexico on the relation of Charles H. Gildersleeve, vs. Jose L. Perea, Sheriff, and ex officio Collector of Taxes in and for the County of Bernalillo. } In Error to the Supreme Court of the Territory of New Mexico.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record, it is, therefore, in pursuance of the 9th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per M. Chief Justice White.

307. Eleanor Taylor, Administratrix of George Taylor, deceased, et al., vs. The Girard Life Insurance, Annuity and Trust Company of Philadelphia. } Appellants, } Appeal from the Court of Appeals of the District of Columbia.

This cause having been called for hearing in its regular order, and it appearing to the Co[illegible]

the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Robert M. Douglas, Plff. in Err.
v.
The United States ex rel. The State of North Carolina and S. D. McPate, Public Treasurer.

In Error to the Supreme Court of the State of North Carolina.

This cause having been called for hearing in its regular order, and it appearing to the Court, ~~and it appearing to the Court~~ that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

George M. Grayson et al., Appts.
v.
George Lynch et al.

The argument of this cause was continued by Mr. T. B. Catron, of counsel for the appellants, and Mr. S. B. Newcomb and Mr. S. M. Arnell of counsel for the appellees, and concluded by Mr. T. B. Catron, of counsel for

241. Charles Warner
vs.
The Texas & Pacific Railway Company

Writ in Error

Rule Cause to be argued by Mr. Horace Chilton of Counsel for the Plaintiff in error, and Mr. John S. Dillon of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met, to-day at the Capitol.

Present

Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Stanley Matthews.
George Shiras, Jr.
Rufus W. Peckham.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Winthrop Pinkney Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and thereupon he accordingly so.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that William M. Walton, Esquire, of Austin, State of Texas, &c., admitted to practice as an attorney and counsellor of this Court and he was accordingly so.

On motion first made to the Court in this behalf by Mr. William Lindsay it is ordered that W. H. Macoy, Esquire, of Covington, State of Kentucky, be admitted to practice as an attorney and

Wednesday May 6th 1891 continued

counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Ransom who entered his S. C. Mr. Klejohn, Esquire of Fullerton State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur Brown it is ordered that Richard B. Kelly, Esquire of Ransom, State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

312. The Western Union Telegraph Co. vs. Appellee in Error, Louis A. Klein

On motion of Mr. John F. Dillon, Solicitor for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

313. William A. Wood, vs. Appellant, Moylan C. Fox, Surviving Executor &c.

On motion of Mr. [illegible] in behalf of plaintiff, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term to be heard with case No. 312 [illegible]

The Bear Lake & River Water Works and Irrigation Co. et al. vs. Millerton. Appellants.

This cause was argued by Mr. John F. Dillon of counsel for the appellants, and Mr. J. B. Ladd and Mr. Arthur Breen of counsel for the appellees.

Jeff Harrison vs. The United States.

This cause was argued by Mr. Richard B. Kelly, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Assistant Attorney General Dickinson, of counsel for the defendant in error.

E. M. Bacon et al. vs. [illegible]

Reargument of this cause was commenced by Mr. J. Hubley Ashton, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, May 5th

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion it is ordered by the Court in this case that Mr. John Dalzell be entered as counsel for the appellee and that Mr. S. Duffield Mitchell, Esquire, of Pittsburgh, State of Pennsylvania be admitted to practice as counsellor at law and counsellor of this Court and he was accordingly admitted.

305. The Steamship Valencia &c., Appellant; vs. William N. Ziegler et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. F. A. Condert and Mr. Joseph King, of counsel for the appellant and leave was granted counsel for the appellees to file a brief [illegible]

days to counsel for appellant to file a reply. Whole evidence and stenographer's

Samuel Whitehill Barber et al.,
315. vs. Plffs in Error,
The Pittsburg, Fort Wayne & Chicago Railway Company et al

This cause was submitted to the consideration of the Court on the record, and a printed argument by Mr. John S. Ferguson and Mr. S. Duffield Mitchell, of counsel for the plaintiffs in error, with leave to counsel for the defendants in error to file a brief on or before the 8th instant.

Count Joseph Telfener
316. vs.
George H. Bier

Mr. J. L. Peeler, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to tax certain costs herein which was opposed by Mr. Joseph Wheeler, of counsel for the defendant in error.

The Citizens' Bank of Louisiana,
315. vs. Appellant,
Clifton Cannon, Sheriff &c.

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, by stipulation of counsel.

Henry McClelland Administrator &c. Ordered by
vs. the Court that
318. A. P. Pollard & the cause be,
Thomas H. Wood Executor &c. and the same
is hereby, continued until the next term, Per
Stipulation of Counsel

E. M. Bacon et al. Reargument of this
vs. Plff in Error, cause commenced
296. The State of Texas ex. by Mr. J. Hubley Ashton,
of Counsel for the plain
tiffs in error Mr. M. M. Caine of Counsel for
the defendant in error and concluded by Mr.
William M. Malton of Counsel for the plaintiffs
in Error

The Covington & Lexington This cause was
Turnpike Road Co., submitted to the
vs. Plff in Error, Consideration of
304. A. P. Sandford et al the Court on the
Record and a print
& argument by Mr. James M. Bryan and Mr.
H. H. Peckey, of Counsel for the Plaintiffs in error
with leave to Counsel for the defendants in error
to file a brief within five days and to Counsel
for the plaintiff in error to file a reply thereto
five days thereafter

Eugene N. Coughran et al., This cause was
vs. Plff in Error, argued by Mr.
310. Henry C. Bagley et al Thomas [illegible]

of counsel for the defendant in error, and submitted on a printed argument by Mr. G. H. Brent, of counsel for the plaintiff in error.

311 The Patapsco Guano Co.
vs. Appellant,
The Board of Agriculture of North Carolina et al.

The argument of this cause was commenced by Mr. Thomas N. Hill, of counsel for the appellant and continued by Mr. R. H. Battle and Mr. F. H. Busbee, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, May 5th, 1890.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
Henry B. Brown,
George Shiras, Jr.,
Edward D. White,
Rufus W. Peckham,
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court is opened.

Service first made to the Court in this behalf, by Mr. Leigh Robinson, it is ordered that A. T. Strickland, Esquire, of Richmond, State of Virginia, be admitted to practice as an attorney, and counsellor of this Court, and he was thereupon accordingly

422. The United States, Appt.,
vs. } Appeal from Dist.
J. Henry Perkins, County Treasurer. } Court.
and
428. The United States,
vs. } Appeal from Dist.
Ashbel P. Fitch, Comptroller, &c. } Court.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Solicitor General Conrad, on

Counsel for the Plaintiff in Error, and Mr. Timothy M. Griffing, of Counsel for the defendant in error in No. 1121, and Mr. S. F. Del Castro, of Counsel for the defendant in error in No. 1122.

237 The United States
v. Fifty Tons
Charles P. Morse

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Assistant Attorney General Whitney, of Counsel for the plaintiff in error, and Mr. L. C. Grayson and Mr. J. D. Works, of Counsel for the defendant in error.

311 The Pulaspeco Guano Co.,
Appellant,
v.
The Board of Agriculture
of North Carolina et al.

The argument of this cause was continued by Mr. F. H. Busbee, of Counsel for the appellee, and concluded by Mr. Thomas N. Hill, of Counsel for the appellant.

Proclamation being made the Court is adjourned until Monday, the 11th instant, at twelve o'clock.

Monday, May 10th 1897.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field
John M. Harlan
Horace Gray
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made, the Court was opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Conrad it is ordered that James N. Ramsey, Esquire, of Cincinnati, State of Ohio and Joseph G. Deane, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. C. B. Sands it is ordered that Charles N. Harris, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by

Mr. Reece A. Voorhees it is ordered that George Vine Dennis of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur Boyce it is ordered that Albert Allen, Esquire of Boxine State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. C. Kirland it is ordered that Edward M. Doe Esquire of Magistrate Bowling of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Northern Pacific Railroad Company, Plaintiff in Error, vs. Ole J. Lipeland. } In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

238.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs; And that

this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Minnesota.

Per Mr. Justice Peckham.

548. The United States, Appellant, vs. Henry L. Lewis. On certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Peckham.

196. E. M. Dixon, E. G. Graves, and C. C. Gibbs, Trustees, Appellants, vs. The State of Texas, Appellee. In Error to the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas.

This cause came on to be heard on the transcript of the record from the Court of Civil Appeals for the Second Supreme Judicial District of the State of Texas, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the writ of error in this case be, and the same is hereby, dismissed for the

want of jurisdiction.
(Per Mr. Justice Peckham.)

259 James C. Edwards, Plff in Error, vs. Dallas County, Independent District of Mount Pleasant Township. } In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court, with directions to set aside the order dismissing the action for want of jurisdiction, and for further proceedings in conformity to law.
(Per Mr. Justice White.)

227 Bob Fallon, Appellant, vs. Nash Mayo, late High Sheriff of the Cherokee Nation. } Appeal from the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and

argued by Counsel. On consideration
thereof it is ordered, adjudged, and
decreed by this Court that the decree of the said
Circuit Court in this cause be, and the same
is hereby, affirmed.

Dissenting: Mr. Justice White
Mr. Justice Harlan

The Singer Manufacturing Company, Appellant, vs. The June Manufacturing Company. } Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the complainant, with costs, perpetually enjoining the defendant, its agents, servants and representatives, first, from using the word "Singer" or any equivalent thereto, in advertisements in relation to sewing machines, without clearly and unmistakably stating in all said advertisements that the machines are made by the defendant, as sterling

from the sewing machines made by the Singer Manufacturing Company; second, perpetually enjoining the defendant from making upon sewing machines or upon any plate, or device connected therewith or attached thereto the word "Singer," or words or letters equivalent thereto, without clearly and unmistakably specifying in connection therewith that such machines are the product of the defendant or other manufacturer, and therefore not the product of the Singer Manufacturing Company. And the decree so to be entered must also contain a direction framed according to the defendant as to any device which may have been employed by it, because of the wrongful acts by it committed.

Per Mr. Justice White

The Singer Manufacturing Company, Appellant, v. George C. Bent. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed

with costs; and that this cause be and the same is hereby remanded to the said Circuit Court, with directions to enter a decree in favor of complainant, with costs, perpetually enjoining the defendant, his agents, servants and representatives, from marking upon sewing machines made and sold by him, or upon any plate or device connected therewith or attached thereto, the word "Singer", or words or letters of like import, without clearly and immediately thereby in connection therewith, that such machines are the product of the defendant or other manufacturer, and not the manufacture of the Singer Manufacturing Company; and the defendant must be ordered to account as to any profits which may have been realized by him because of the wrongful acts by him committed.

Per Mr. Justice Brown.

191. The Salina Stock Company and Elvira A. Ireland, Appellants, vs. The Salina Creek Irrigation Company. Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree

of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice Shiras.

James Murray, alias "Yeasy" (Jim), Plff. in Error, vs. The State of Louisiana. In Error to the Supreme Court of the State of Louisiana.

718.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Shiras.

Martha Barnitz, Plff. in Error, vs. John L. Beverley. In Error to the Supreme Court of the State of Nebraska.

83.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme

Monday, May 8th, 1876. Continued

reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court with direction for further proceedings not inconsistent with the opinion of this Court.

Mr. Justice Strong delivered the opinion of the Court.

Hong Wing, Lee Foy, Lee Yon Dong and Mah Dong, Appellants, v. The United States. 194. Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby remanded to the said Circuit Court with direction to proceed therein in accordance with the opinion of this Court.

Mr. Justice Strong delivered the opinion of the Court.

(Mr. Justice Brewer took no part in the decision of this case.)

Samuel G. Hilborn, Appellant, v. The United States. 267. Appeal from the Court of Claims.

This cause came on to be heard on the transcript

the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

(Mr. Justice Field took no part in the consideration of this case.)

No. 968. The Supreme Lodge Knights of Pythias of the World, Plff in Error, vs. Mrs. Eugenie Kellner. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; And that the cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

Per Mr. Justice Brown.

Monday, May 8th, 1893. (Continued)

210. Homer Adolph Plessy, Plff in Error, v. J. H. Ferguson, Judge of Section "A" Criminal District Court for the Parish of Orleans. In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

(Per Mr. Justice Brown)

Dissenting:
Mr. Justice Harlan

257. The Union National Bank of Chicago, Plff in Error, v. The Louisville, New Albany & Chicago Railway Company. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

(Per Mr. Justice Brewer. Announced by Mr. Justice [illegible])

977. William Burgenning, Pltff in Error, vs. The Chicago, St. Paul, Minneapolis & Omaha Railway Company. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Brewer.
(announced by Mr. Chief Justice Fuller.)

No. 1. John Evans Cornell, Appellant, vs. Kelly & Co. Appellees. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Gray.

Dissenting:
Mr. Justice Brewer.

Monday, May 8th, 1876. Continued

(J. Lowe)
vs. Affirmed
The State of Kansas.

In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by Counsel; On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed, with Costs.

Mr. Justice Gray delivered the opinion of the Court.

Dissenting:
Mr. Justice Brown

The Illinois Central Railroad Company,
vs. Affirmed.
The People of the State of Illinois ex rel. [illegible]

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings

not inconsistent with the opinion of this Court.

Per Mr. Justice Gray

662. The Western Union Telegraph Company vs. Affirmed & Mod. Thomas Taggart, Auditor of Marion County, Indiana

In Error to the Supreme Court of the State of Indiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray

504. The Steamer "Coquitlam" &c., Thomas Earle and Union Steamship Company Claimants, Appellants, vs. The United States

On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by Counsel. On consideration whereof, it is the opinion of this Court that the District Court of Alaska is to be regarded as the Supreme Court of that Territory within the meaning of the fifteenth section of the act of

March 31, 1891, and of the order of this Court assigning the same to the Ninth Circuit. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Harlan

The United States,
Appellant,
vs.
The Winchester & Potomac Railroad Company.
No. 195.
Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims, with directions to render judgment for the United States.

Per Mr. Justice Harlan

Dissenting:
Mr. Justice Shiras

Alfred F. Webster,
Plaintiff in Error,
vs.
Milo J. Luther and Louis Rouchleau.
No. 161.
In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of

the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Harlan.

255. The Texas & Pacific Railway Company vs. Jeffrin Error, May Gentry, Aird Lee Gentry, Stephen M. Gentry & Mary A. Gentry. } In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Texas.

Per Mr. Justice Harlan.

Monday, May 6th, 1895. Present [illegible]

285. The Rio Grande Western Railway Company, Appellant, vs. Frank Leark. In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Utah.

Per Mr. Justice Harlan

760. Frank Hanford, Appellant, vs. Griffith Davies and Isabella Davies, his wife, et al. Appeal from the Circuit Court of the United States for the District of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, it is now hereordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan

150. L. F. Hennington, Plff in Error, vs. The State of Georgia. In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Dissenting:
Mr Chief Justice Waite
Mr Justice White.

1163. Count Joseph Dellener, Plff in Error, vs. George W. Reed. On consideration of the petition for a rehearing herein, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Justice Field.

Monday, May 6th, 1895. Continued

SUPREME COURT OF THE UNITED STATES

No. 2, Original.—October Term, 1895.

The State of Indiana, Complainant, }
vs. } In Equity.
The State of Kentucky. }

This cause came on to be heard on the report of Gustavus V. Menzies, Gaston M. Alves and Amos Stickney, commissioners appointed herein at this term, on October 21, 1895, to ascertain and run the boundary line between the States of Kentucky and Indiana, as designated in the opinion of this court heretofore filed and judgment and decree heretofore entered herein, May 19, 1890, filed April 27, 1896; the exceptions of the State of Kentucky thereto and the motion of the State of Indiana for the confirmation thereof; and which report is as follows:

In the Supreme Court of the United States.

October Term, 1895.

Indiana }
vs.
Kentucky. }

To the Honorable Melville W. Fuller, Chief Justice of the Supreme Court of the United States.

The undersigned commissioners appointed by this honorable court in the above-entitled cause, to ascertain and run the boundary line between the States of Indiana and Kentucky, north of the tract known as Green River Island, have the honor to present the following report:

The first meeting of the commission was held at Evansville, Indiana, on December 7th, 1895, all the commissioners being present, and each commissioner having been sworn according to the order of the court, the commission organized by electing Lieut.-Col. Amos Stickney, U. S. army, as chairman.

At this meeting there were present Mr. R. H. Cunningham, of Henderson, Ky., representing the State of Kentucky; Mr. Merril Moores, deputy attorney-general of the State of Indiana, representing that State, and Mr. J. E. Williamson, of Evansville, Indiana, representing a number of land owners along the line where the boundary is to be ascertained and run.

The above-mentioned gentlemen being invited thereto, expressed their views in a general way as to a proper method of determining the boundary line to be run between the States of Indiana and Kentucky to accord with the decision of this court. Neither in the order of your honorable court appointing the commissioners, nor subsequently, were your commissioners instructed as to the methods they should pursue in ascertaining the boundary line to be run. They therefore assumed that it was the intention of the court to leave them untrammeled with instructions other than such as were to be inferred, first, from the decision of the court, and, second, from the testimony upon which that decision was made.

Your commissioners then proceeded to and made a personal examination of the grounds where the boundary line was to be ascertained and run. After this examination, and a consideration of the subject in the light of the court's decision, and the testimony, it was concluded that a determination of a proper location of the boundary line would require the marking out upon the ground as nearly as possible of the meandered river bank lines of the survey of Jacob Fowler, made in 1805 and 1806, the oldest survey of record, copies of the map and notes of which were incorporated and unchallenged in the testimony in the case.

A competent surveyor was employed in the person of Mr. C. C. Genung, surveyor of Vanderburgh County, Indiana, who was familiar with the county records and the landmarks in the vicinity of the proposed line.

Mr. Genung was instructed to proceed as soon as possible under the direction of the chairman, to re-establish upon the ground as nearly as practicable the aforesaid meander line of the survey of 1805 and 1806, using every precaution to determine said line as accurately as might be, from the notes of the survey, and such marks referred to in the notes, and other authenticated marks as might be found.

He was also directed to make cross sections at intervals, by leveling across the depression now existing, where the island chute once was, and determine the present crests of the banks.

Mr. Genung performed the duty allotted to him, and made a map exhibiting the result of his surveys.

Your commissioners, after verifying his work on the ground, then held another meeting at Evansville, Indiana, January 22nd, 1896, and made a careful study of the information obtained by the survey. An examination of the map presented by Mr. Genung, giving the results of his survey, with a report upon the same, satisfied your commissioners on three points. The close accord of the re-established meander line with the existing crest of the high bank was strong proof that the line as re-established was in fact a very close approximation in location to the location of the line as originally run; it also indicated that the original meander line was practically along the crest of the high water bank, and not along the low water line; and further, that the crest of the bank along the Indiana side of the depression as it exists to-day must be nearly as it was at the time of the original survey.

It will be noticed from the topography on the map that the crest of the high water bank on the Indiana side of the depression is quite regular, while the crest of the bank on the island side, especially above the railroad crossing, is irregular, indicating probably, extensive deposits since the time when there was a free flowing stream around the island. In the testimony there are mentions of drift piles in the upper part of the chute causing deposits.

Below the railroad crossing the crests of the two banks are nearly parallel, and as scaled on the map where most nearly parallel, are about eight chains apart. It would seem probable that the chute before it was choked up by drifts and deposits had a width more or less uniform of about eight chains between crests of the high bank. During low water stages the part of the chute covered by water was probably nearly in the center of the chute. Just how far the low water surface extended towards the Indiana side, it is impossible at this time to determine accurately, but it would seem that a close approximation to the water line would be a line equi-distant from the Indiana bank crest line and the central line of the chute. Upon this assumption, the water of a low stage would have covered the middle half of the space between the crest of the high banks, and a fair allowance should be made for the space covered by the bank slopes extending from the crests of the high banks to the low water line.

It was decided then, to lay out as a trial line, a line parallel to the meander line of the survey of 1805 and 1806, as re-established, and at a distance of two chains from it, measured towards the island. This was done, and notification was sent to Hon. W. A. Ketcham, attorney-general of the State of Indiana; Mr. R. H. Cunningham, representing the State of Kentucky, and Mr. J. E. Williamson representing land owners. The above-mentioned gentlemen were invited to present in writing, if they so desired, any statements to prove that such line was not approximately the low water line in the year 1792. They were also invited to make any oral argument relating thereto to your commissioners at their next meeting.

On February 3rd, 1896, your commissioners again met at Evansville, Indiana, and proceeded to inspect the trial line as laid out and marked upon the ground. After their inspection they held a meeting, due notice of which had been given to the aforementioned gentlemen representing the different interests.

Mr. R. H. Cunningham on behalf of the State of Kentucky appeared, and had no particular objections to urge against the approximate line, but filed a request which is herewith transmitted, marked Exhibit "A." Mr. J. E. Williamson sent a communication, which is transmitted with this report and marked Exhibit "B."

After further consideration of the subject it was decided that your commissioners were not authorized to lay down any line beyond the upper and lower limits of Green River Island as it existed in 1792, and it was decided to adopt for recommendation the trial line within those limits as marked, with a slight change at the extreme upper end, to allow for what was undoubtedly a flat bank slope, it being upon a point.

Your commissioners would therefore respectfully state that they have now ascertained and run, according to their best judgment, the boundary line between Indiana and Kentucky, north of the tract known as Green River Island as it existed when Kentucky became a State, which is described as follows, to wit:

Commencing at a point on the line between sections fifteen (15) and fourteen (14), township seven (7) south, range ten (10) west, and 67.25 chains south of the northeast corner of section fifteen (15). The post set at this point is witnessed by a sycamore tree 36 inches, S. 1° 55′ E. 43.8 ft.; and also by a honey locust 32 inches, S. 67° 50′ E., 24.1 ft., and is at the head of Green River Island, and also assumed low water mark in 1792. From this point going down stream and making an angle to the left from the east line of section fifteen (15) of 50° 26′, and on a course of N. 49° 16′ W., a distance of 1098.55 ft. to a post witnessed by a cottonwood 48 inches, N. 79° 45′ W. 166 ft.

Angle to right 0° 45′ 15″, course N. 48° 30′ 45″ W. 1171.45 ft. to a post witnessed by a sycamore 22 inches, S. 66° 50′ E. 398 ft.

Angle to left 6° 50′, course N. 55° 20′ 45″ W. 1432.35 ft. to a post, witnessed by a red elm 48 inches, S. 81° 40′ E. 150.5 ft. And also a red elm 60 inches, S. 83° 20′ E. 160 ft.

Angle to left 13° 43′ 15″ course N. 69° 04′ W. 1187.2 ft. to a post, witnessed by a sycamore 41 inches, S. 87° 15′ E. 149.7 ft.; and also a sycamore 48 inches, S. 88° 20′ E. 156.2 ft.

Angle to right 0° 42′ course N. 68° 22′ W. 1312.6 ft. to a post, witnessed by a sycamore 15 inches, south 16° 15′ E. 80.5 ft. And a sycamore 11 inches, S. 18′ 00′ E. 79.6 ft.

Thence on same tangent and course 520.55 ft. to a post, witnessed by a cottonwood 16 inches, S. 8° 45′ E. 61.4 ft.

Angle to right 9° 01′ 30″, course N. 59° 20′ 30″ W. 1735 ft. to a post, witnessed by a sycamore 64 inches, N. 13° 40′ W. 130 ft.

Angle to left 2° 37′, course N. 61° 57′ 30″ W. 964.6 ft. to a post, witnessed by a cottonwood 30 inches, S. 44° 00′ W. 67 ft. and a cottonwood 37 inches, S. 34° 40′ W. 70.3 ft.

Angle to right 2° 06′, course N. 59° 51′ 30″ W. 2926.5 ft. to a post, witnessed by a sycamore 48 inches, N. 74° 50′ E. 146.5 ft. and a sycamore 56 inches, N. 27° 30′ E. 94.8 ft., and a stone on section line, between sections eight (8) and nine (9), N. 32° 30′ E. 132.6 ft.

Angle to right 4° 36′ 30″, course N. 55° 15′ W. 1659.6 ft. to a post, witnessed by a cottonwood 22 inches, S. 17° 15′ W. 141.7 ft.

Angle to right 3° 05′ 30″, course N. 52° 09′ 30″ W. 952 ft. to a post, witnessed by a sycamore 60 inches, S. 88° 05′ E. 254 ft., and a sycamore snag 31 inches, N. 49° 25′ E. 164.4 ft.

Angle to right 7° 56′ 30″, course N. 44° 13′ W. 2004.1 ft. to a post, witnessed by an elm 60 inches, N. 2° 35′ E. 230.5 ft.

Angle to right 5° 58′, course N. 38° 15′ W. 477.65 ft. to a post, witnessed by a sycamore 56 inches, N. 29° 45′ E. 115 ft.

Angle to left 0° 40′, course N. 38° 55′ W. 1259 ft. to a post, witnessed by a sycamore 36 inches, S. 44° 55′ E. 131.3 ft., and a cottonwood 40 inches, S. 42° 50′ W. 155 ft.

Angle to right 6° 07′, course N. 32° 58′ W. 1257 ft. to a post, witnessed by an elm 53 inches, S. 43° 25′ E. 578 ft. and the stump of the original maple witness tree of 1806, 65 inches, N. 49° 55′ E. 126 ft.

Angle to right 2° 42′, course N. 30° 06′ W. 1186.6 ft. to a post, witnessed by a sycamore snag 28 inches, N. 69° 15′ E. 102.7 ft.

Angle to right 7° 03′ 30″, course N. 23° 42′ 30″ W. 2735.7 ft. to a post, witnessed by a maple 36 inches, N. 78° 00′ E. 165.3 ft.

Angle to right 12° 17′ 30″, course N. 10° 45′ W. 1202.12 ft. to a post opposite the lower end of Green River Island, and at low water as it was in 1792, witnessed by a sycamore 52 inches, N. 65° 35′ E. 363.45 ft.

The above courses are run from the true meridian as ascertained by observation at the point on the map marked "W" on the line between townships six (6) and seven (7).

The above described line is indicated by the red line on the map transmitted herewith, marked Exhibit "C." We also transmit the preliminary and final reports of the surveyor, Mr. C. C. Genung, marked Exhibits "D" and "E," also a sheet of cross sections marked Exhibit "F."

The above described line is now marked by cedar posts, set at the initial and terminal points, and points where changes in direction occur, and it is recommended that it should be permanently marked as follows:

Three suitable points should be selected upon the line, one near the upper end, one near the middle, and one near the lower end. At each of these points a monument should be erected which should consist of a stone of durable quality, six feet long, and eighteen inches square in cross section. This stone should be imbedded in a well-made foundation of concrete. The concrete foundation to be six feet square and four feet deep, the upper surface being at the surface of the ground. The stone should be placed upright so as to extend three feet into the concrete, and have three feet above the ground. Upon one side of the stone should be cut the word "Indiana," and upon the opposite side the word "Kentucky." Between the stone monuments, at each turning point of the line, there should be placed an iron post six feet long, and six inches in diameter of cross section. The iron post to be imbedded in a foundation of concrete two feet square, and three and one-half feet deep; the top of the concrete to be at the surface of the ground, and the post standing upright in the concrete, the top of the post being three feet above the ground.

The estimated cost of the above described monuments, including placing the same, is $600.00.

We herewith file as a part of our report, two certified copies of the original map, which we recommend be furnished the respective States, as may be directed by the court.

We herewith attach an itemized statement of costs and expenses incurred by the commissioners, marked Exhibit "G," which, if approved, we recommend be adjudged equally against the parties to the suit.

Respectfully submitted.

AMOS STICKNEY,
Lt. Col. of Engrs., U. S. A.
GUSTAVUS V. MENZIES,
GASTON M. ALVIS,
Commissioners.

EXHIBIT "A."

Honorable Commissioners of U. S. Supreme Court to ascertain and run the boundary line between Indiana and Kentucky at and near Green River Island.

GENTLEMEN: While I have no special objection to the test line you have tentatively adopted, although it does not seem to make allowance for any accretion to the Indiana bank of the river between June 1st, 1792 and the date of the Congressional survey in 1806, I suggest and request that such line as you may finally adopt be extended upon such course and for such distance as you find correct until it intersects the present low water line of the Ohio River both at the upper and lower ends. In other words that you run at each end to the points where low water mark in 1792 coincides with low water mark at the present time.

Very respectfully,

R. H. CUNNINGHAM,
For the Commonwealth of Kentucky.

February 3rd, 1896.

EXHIBIT "B."

EVANSVILLE, IND., Feb. 2nd, 1896.

Col. AMOS STICKNEY, Evansville, Ind.

DEAR SIR: I was shown a sketch, by Capt. Genung, of the line as staked off. Capt. Genung said to me that he had a letter from you stat-

ing that you would be in the city to-morrow, and that the commission would meet to-morrow night. I am compelled to leave home to-night, and will probably not be at home for a day or two. Capt. Genung will explain fully.

The line as staked off in the main will be satisfactory. I desire to call the attention of the commission to the two termini. I understand the controlling fact has been the survey of 1806, and the notes of this survey show that stakes were driven at several points on the bank of the river. If we take the dividing line between sections 14 and 15 as a sample, the notes show that a stake was driven on the bank of the river between the point where the stake was driven and the present bank of the river is a very considerable distance, and the evidence shows that a great deal of land has been made by accretion opposite the mouth of Green River. If we take an east and west line, or say the northern boundary line of section 14 and measure off the full length of the east side we have the distance shown by the stake driven. If we were to go one section still further east, a point which nobody has ever claimed was reached by Green River Island, we will have exactly the same thing, a stake on the bank of the Ohio River, and I assume the same notes would show stakes on the Ohio River up to the Ohio line. It does not follow therefore that all the land that has been made south of these stakes is in Kentucky. The same thing holds good at the lower end of the line. Only sixty days ago I passed on an abstract of title for a tract of land belonging to the Smiths immediately down the river from the present site owned by the city for its water works. We commenced on a line back from the river and the calls in the deed were so many feet to the Ohio River, when we measured for the number of feet, we found that it did not reach the Ohio River by one hundred or two hundred feet. I thought at first there was a mistake in the deed, but when we came to ascertain the facts more definitely, it was learned that the difference in feet was accounted for by the accretion. I am confident that the same will hold at many other points along the river. It seems, therefore, to me that we cannot rely on calls of the survey of 1806 to locate the upper and lower ends of the island, as there have been accretions at both points.

Yours respectfully, J. E. Williamson.

Exhibit "D."

To the Honorable Board of Commissioners of the Indiana and Kentucky Boundary Line at Green River Island.

Gentlemen: In accordance with your instructions I have re-established the sectional and meander lines of fractional sections 5, 6, 8, 9, 15, 16 and a part of 14 T. 7 S., R. 10 W., and also a part of section 31, T. 6 S., R. 10 W. following the notes of the original United States surveys as made by Jacob Fowler in 1805 and 1806, as closely as possible. I found, however, that his work had not been very carefully nor accurately done, his lines not having all been run with the same variation, nor his distances always accurately chained.

I first sought to locate his original corners, the posts set by him having long since disappeared. I found a mulberry stub standing on the line between sections 15 and 16, and 16.23 chains south of the northwest corner of sec. 15, which is an original witness tree, as noted by him. At the termination of the section line between sections 5 and 6 a maple tree witnessed by him has been standing, up to about one year ago, but the stump, now five feet in diameter, with witness marks on it, is still there. Each of these points so located are also points on the meander line, and the surveyor's records in my office, as well as oral testimony of the old inhabitants, go to show beyond question that these are corners established by Mr. Fowler.

In 1856 A. T. Whittlesey, who was surveyor of Vanderburgh County, re-established the northwest corner of sec. 14, putting down a cypress post, which he afterwards replaced by a stone, which now marks the corner. One of the original witness trees was then standing. At the same time he

re-established a point on this line between sections 14 and 15 and 40 chains south of the northwest corner of sec. 14, by a cedar post which is still standing. At that point one of the original witness trees was then standing. The distance was by close measurement 39.91 chains. This line produced south from said northwest corner of sec. 14 64.25 chains, the distance given by Mr. Fowler, fixes its termination and also a point on the meander line. The variation is 2° 30′.

The northeast corner of sec. 16 was re-established by A. T. Whittlesey, surveyor of Vanderburgh County, in 1856. The box elder witness tree noted by Mr. Fowler was standing at that time. From that corner running west 29.67 chains the distance given by Mr. Fowler, gives the termination of the section line between sections 9 and 16, which is also a point on the meander line. The northeast corner of sec. 16 is also 16.23 chains north of the corner by the mulberry stub, this being the distance given by Mr. Fowler, and has a variation of 3° 40′.

At the northwest corner of sec. 9, J. Lindsley, surveyor of Vanderburgh County, in 1837, set a white oak post to re-establish the corner, the original witness trees being then standing. In 1855 C. G. Olmstead, surveyor of Vanderburgh County, replaced the oak post by a mulberry post, and in 1874 this was replaced by a limestone, set by August Pfafflin, surveyor of Vanderburgh County, which stone is still there. Commencing at that point and running south 49.84 chains, the distance given by Mr. Fowler, I found the termination of the line between sections 8 and 9, which is also a point on the meander line. This variation is 3° 30′.

Running west from the northwest corner of section 9, 58.00 chains, the distance given by Mr. Fowler, gives the termination of the line between sections 5 and 8, and also a point on the meander line.

The southwest corner of sec. 32, T. 6 S., R. 10 W. I established from two old monuments, one at the northwest corner, and the other at the southeast corner of said section. This line between the southeast and southwest corners had a variation of 2° 50′. From this corner so established, I ran south 51.72 chains to a post near the maple stump, original witness tree, Mr. Fowler giving the distance as 51.50 chains. This line had a variation of 3° 00′, and its termination is also a point on the meander line. From the southwest corner of sec. 32 I ran west 25.70 chains, the distance given by Mr. Fowler, which is the termination of the line between section 31, T. 6 S., R. 10 W., and section 6, T. 7 S., R. 10 W., and also a point on the meander line.

In this way I found seven points which are as closely absolutely correct as it is possible to locate them after a lapse of ninety years. Primarily fixed points, if correct, must govern as against distances or compass variations, secondly, distances, and lastly, courses. Upon this basis I ran the meander line, following Mr. Fowler's notes as closely as possible, and making such corrections as were necessary. It was impossible to follow them exactly, for the reasons already stated, that the compass variations on the lines between section corners established by Mr. Fowler vary from one to two degrees, and in only one instance has a line the correct variation, and in 28 distances given by him, which I remeasured, 12 of them varied from two to seventy-four links each.

The following are the field-notes for the meander line:

Commencing at a post at a point on the bank between fractional sections 9 and 16, T. 7 S., R. 10 W., running thence up stream as corrected. Witnessed sycamore 6″ N. 82° W. 1.31 chains S. 60° E. 26.31 chains. Variation 3° 05′.

Post witnessed, sycamore S. 12° 50′ E. 4 links S. 69° E. 7.73, var. 3° 05′ to a post between secs. 15 & 16.

Witnessed by stub of original mulberry S. 66° W. 4 links S. 69° E. 19.84, var. 3° 15′.

Post witnessed, stake N. 43° 30′ E. 25 links, and stake N. 36° 30′ W. 25 links. S. 70° E. 18.38, var. 3° 15′.

Post witnessed, stake N. 44° 30′ E. 45½ links and apple tree S. 63° W. 28 links. S. 56° E. 22.01, var. 3° 15′.

Post witnessed, stake, N. 43° 30′ E., 50 links, and stake N. 36° 30′ W. 50 links. S. 49° E. 17.91 var. 3° 15′.

Monday, May 18th 1896. Continued

Post witnessed, stake, N. 40° 50′ E. 65 links and stake N. 66° 30′ W. 50 links. S. 45° E. 9.92, var. 3° 15′.

Post witnessed, stake, N. 40° 20′ E. 68 links and stake N. 66° 30′ W. 50 links. S. 63° E. 5.00 var. 3° 15′ to a post between secs. 15 & 14.

Witnessed, honey locust 24″ S. 8° 15′ W. 78 links. Sec. line S. 6.37 ch. to water's edge of Ohio River. S. 73° E. 5.50, var. 3° 15′.

Post witnessed, cottonwood, 16″ S. 14° 30′ W. 1.71 ch. S. 82° E. 16.00, var. 3° 15′.

Post witnessed, osage orange 6″ S. 54° 45′ E. 26½ links and osage orange 8″ S. 62° W. 36½ links. S. 3.88 ch. to water's edge, Ohio River.

From the post between secs. 9 and 16 running down stream: N. 63° W. 14.60 chains, var. 2° 45′.

Post witnessed, sycamore snag, 36″ N. 81° 55′ E. 86½ links N. 61° W. 44.00 to a post between secs. 8 and 9, var. 2° 45′.

Post witnessed sycamore 48″ S. 45° 30′ W. 54 links N. 57° W. 25.00, var. 2° 00′.

Post, sycamore stump 40″ S. 42° 30′ E. 72 links N. 54° W. 14.20 var. 2° 00′.

Post witnessed sycamore snag N. 78° E. 56 links N. 46° W. 30.00, var. 2° 00′.

Post witnessed, elm, 38″ N. 31° 40′ W. 2.53 chains N. 40° W. 7.12, var. 2° 00′. Post between secs. 5 and 8.

Witnessed sycamore 40″ S. 74° 50′ W. 21½ links, and cottonwood snag 21″ N. 40° 30′ W. 80 links. N. 40° W. 19.00, var. 2° 30′.

Post witnessed, sycamore, 32″ S. 4° 15′ W. 2.56 ch. N. 34° W. 18.84 to a post between secs. 5 and 6, var. 2° 30′.

Post witnessed, maple 60″ N. 65° W. 27 links, Original witness tree. N. 32° W. 17.75 to a post, var. 2° 00′.

Post witnessed, sycamore snag 45″ S. 43° 15′ W. 16 links N. 25° W. 40.00 to a post between sec. 6, T. 7 S., R. 10 W., and sec. 31, T. 6 S. R. 10 W., var. 2° 00′.

Post witnessed, maple snag, 20″ N. 66° 30′ E. 53 links, and maple 24″ S. 83° 30′ E. 52 links. N. 12° W. 36.00 to a post, var. 2° 30′.

Witness stake on river bank S. 78° W. 4.70 ch. and post N. 78° E. 4.00. Distance 5 chains S. 78° W. to water's edge, Ohio River.

At points marked A, B, C, &c., corresponding to the same letters on the map, cross section levels were taken across the meander line to the bank on the southwest side of the slough, taking low water mark on the gauge at Evansville as the base, and from the section line between secs. 14 and 15 to the point where meander line ends in section 31, T. 6 S., R. 10 W. The difference of elevation in the water surface at those extreme points is 16 inches.

Accompanying this report is a map of the lands lying between Evansville and a point opposite the mouth of Green River on a scale of 10 chains to an inch, showing section and meander lines, and the topography near the meander line, and marked Exhibit "C." Also a cross section of the levels taken, marked Exhibit "F."

Respectfully submitted.

C. C. Genung,
C. E. and S. V. C.

Jan'y 22d, 1896.

Exhibit "E."

To the Honorable Board of Commissioners, on the Indiana and Kentucky Boundary Line at Green River Island.

Gentlemen: The line of the low water mark of 1792, from the head to the foot of Green River Island, has been located as ordered by you, and the commencement, terminus and each intermediate angle marked by planting a cedar post five inches square and seven feet in length in the ground to the depth of four and one-half feet. The line is, except at the commencement and ending, two chains (132 feet) to the left of the meander line going down stream, and parallel thereto. The angles, checked by the needle, were taken twice, and each distance carefully measured twice to

avoid the possibility of errors. The line is laid down on the map marked "Exhibit C'" in red ink, and the distances are given in feet. The true meridian was obtained by observation of Polaris on two different nights.

The following are the notes of the location:

Commencing at a point on the line between sections fifteen (15) and fourteen (14), township seven (7) south, range ten (10) west, and 67.25 chains south of the northeast corner of section fifteen (15). The post set at this point is witnessed by a sycamore tree 36 inches, S. 1° 55′ E. 43.8 ft.; and also by a honey locust 32 inches, S. 67° 50′ E. 24. ft., and is at the head of Green River Island, and also assumed low water mark in 1792. From this point going down stream and making an angle to the left from the east line of section fifteen (15) of 50° 26′, and on a course of N. 49° 16′ W., a distance of 1098.55 ft. to a post witnessed by a cottonwood 48 inches, N. 79° 45′ W. 163 ft.

Angle to right 0° 45′ 15″, course N. 48° 30′ 45″ W. 1171.45 ft. to a post, witnessed by a sycamore 22 inches, S. 66° 50′ E. 398 ft.

Angle to left 6° 50′, course N. 55° 20′ 45″ W. 1432.35 ft. to a post, witnessed by a red elm 48 inches S. 81° 40′ E. 150.5 ft. And also a red elm 60 inches, S. 83° 20′ E. 160 ft.

Angle to left 13° 43′ 15″, course N. 69° 04′ W. 1187.2 ft. to a post witnessed by a sycamore 41 inches, S. 87° 15′ E. 149.7 ft.; and also a sycamore 48 inches, S. 88° 20′ E. 156.2 ft.

Angle to right 0° 42′, course N. 68° 22′ W. 1312.6 ft. to a post, witnessed by a sycamore 15 inches, S. 16° 15′ E. 80.5 ft., and a sycamore 11 inches S. 18° 00′ E. 79.6. ft.

Thence on same tangent and course 520.55 ft. to a post, witnessed by a cottonwood 16 inches, S. 8° 45′ E. 61.4 ft.

Angle to right 9° 01′ 30″, course N. 59° 20′ 30″ W. 1735 ft. to a post, witnessed by a sycamore 64 inches, N. 13° 40′ W. 130 ft.

Angle to left 2° 37′, course N. 61° 57′ 30″ W. 964.6 ft. to a post, witnessed by a cottonwood 30 inches S. 44° 00′ W. 67 ft., and a cottonwood 37 inches, S. 34° 40′ W. 70.3 ft.

Angle to right 2° 06′, course N. 59° 51′ 30″ W. 2926.5 ft. to a post, witnessed by a sycamore 48 inches, N. 74° 50′ E. 146.5 ft. Also a sycamore 56 inches, N. 27° 30′ E. 94.8 ft., and a stone on section line, between sections eight (8) and nine (9) N. 32° 30′ E. 132.6 ft.

Angle to right 4° 36′ 30″, course N. 55° 15′ W. 1659.6 ft. to a post, witnessed by a cottonwood 22 inches, S. 17° 15′ W. 141.7 ft.

Angle to right 3° 05′ 30″, course N. 52° 09′ 30″ W. 952 ft. to a post, witnessed by a sycamore 60 inches, S. 88° 05′ E. 254 ft. and a sycamore snag 31 inches, N. 49° 25′ E. 164.4 ft.

Angle to right 7° 56′ 30″, course N. 44° 13′ W. 2004.1 ft. to a post witnessed by an elm 60 inches, N. 2° 35′ E. 230.5 ft.

Angle to right 5° 58′, course N. 38° 15′ W. 477.65 ft. to a post, witnessed by a sycamore 56 inches, N. 29° 45′ E. 115 ft.

Angle to left 0° 40′, course N. 38° 55′ W. 1259 ft. to a post, witnessed by a sycamore 36 inches, S. 45° 55′ E. 131.3 ft., and a cottonwood 40 inches, S. 42° 50′ W. 155 ft.

Angle to right 6° 07′ course N. 32° 58′ W. 1257 ft. to a post, witnessed by an elm 53 inches, S. 43° 25′ E. 578 ft. and the stump of the original maple witness tree of 1806, 65 inches, N. 49° 55′ E. 126 ft.

Angle to right 2° 42′, course N. 30° 06′ W. 1186.6 ft. to a post, witnessed by a sycamore snag 28 inches, N. 69° 15′ E. 102.7 ft.

Angle to right 7° 03′ 30″, course N. 23° 42′ 30″ W. 2735.7 ft. to a post, witnessed by a maple 36 inches, N. 78° 00′ E. 165.3 ft.

Angle to right 12° 17′ 30″, course N. 10° 45′ W. 1202.12 ft. to a post opposite the lower end of Green River Island, and at low water as it was in 1792, witnessed by a sycamore 52 inches, N. 65° 35′ E. 363.45 ft. The above courses are run from the true meridian as ascertained by observation at the point on the map marked "W" on the line between township six (6) and seven (7).

Respectfully submitted.

C. C. Genung,
C. E. and S. V. C.

Feb'y 3d, 1896.

Monday, May 18th, 1896 [illegible]

EXHIBIT "G."

Statement of Costs and Expenses.

C. C. Genung, civil engineer, services rendered by order of the commission		$575 75
Expenses of Lieut.-Col. Amos Stickney, U. S. A., commissioner	$64 60	
Services as member of the commission	500 00	564 60
Expenses of Gaston M. Alves, commissioner	20 00	
Services as member of the commission	500 00	520 00
Expenses of Gustavus V. Menzies, commissioner	20 00	
Services as member of the commission	500 00	520 00
F. A. Guthrie, typewriter		15 00
Kellar Printing Company		41 25
Total		$2,236 60

And the court being now fully advised in the premises:

It is ordered that the exceptions to the report of said commissioners be overruled and that the report of said commissioners be, and the same is hereby, confirmed.

And it is ordered, adjudged, and decreed that the boundary line between said States of Indiana and Kentucky in controversy herein be, and it is hereby, established and declared to be as delineated and set forth in said report and the map accompanying the same and referred to therein, which map is hereby directed to be filed as a part of this decree.

It is further ordered, adjudged, and decreed that the said boundary line as described in said report and as delineated on said map, and now marked by cedar posts, be permanently marked as recommended in said report, with all convenient speed, and that said commission be continued for that purpose, and make report thereon to this court, and that this cause be retained until such report is made.

It is further ordered, adjudged, and decreed that the compensation and expenses of the commissioners and the expenses attendant on the discharge of their duties, up to this time, be, and they are hereby, allowed at the sum of two thousand two hundred and thirty-six dollars and sixty cents in accordance with their report, and that said charges and expenses and the costs of this suit to be taxed be equally divided between the parties hereto.

And it is further ordered, adjudged, and decreed that this decree is without prejudice to further proceedings as either of the parties may be advised for the determination of such part of the boundary line between said States as may not have been settled by this decree under the pleadings in this case.

And it is further ordered, adjudged, and decreed that the clerk of this court do forthwith transmit to the chief magistrates of the States of Kentucky and Indiana copies of this decree duly authenticated under the seal of this court.

per Mr. CHIEF JUSTICE FULLER.

May 18, 1896.

657. Mary J. Garner
vs. Appellant
The Second National Bank of Cincinnati et al.

On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, of the argument of counsel thereupon had in support of and opposition to the same, It is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Waite

1176. The Cuban Iron Works,
vs. Appellant
Ellen L. Smith, Executrix &c.

On consideration of the motions to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Waite

616. D. H. Burney et al.
vs. Appellants
The Houston & Texas Central Railway Company et al.

On consideration of the motion for an order directing the Clerk to omit from the mandate in this cause any provision granting costs to the appellees and of the argument of counsel thereupon had as well in support of as opposed to the same, It is now here ordered by the Court

Monday, May 18th, 1896. Continued

that said motion be, and the same is hereby

Per Mr. Chief Justice Fuller

468. Santiago Arosa Admr &c., Appellant
vs.
The United States

On consideration of the motion to advance this cause, It is now ordered by the Court that said motion be, and the same is hereby granted, and the cause will be heard with Cases Nos. 350 and 351 when they are reached for hearing in regular call of the docket. It is further ordered that the motion to advance cases Nos. 350 and 351 be, and the same is hereby denied.

Per Mr. Chief Justice Fuller

475. Juan Pedro Aumon, Appellant, vs. The United States.
497. Martin B. Hayes, Appellant, vs. The United States.
480. Robert Erwin, Appellant, vs. The United States et al.
487. The North Arkansas Land Co., Appl't vs. The United States
492. William Pinkerton et al, Appl's, vs. The United States.
501. The United States, Appellant, vs. Julia Simmons et al
610. Joel Parker Whitney et al, Appl's, vs. Rodney A. Mahoney
625. Eloisa L. Berges et al, Appl's, vs. The United States
658. The United States, Appellant, vs. Eloisa L. Berges et al

On consideration of the motion to advance these cases,

It is now here ordered by the Court that said motion be, and the same is hereby

Per Mr. Chief Justice

967. Henry B. Kemp
vs.
M. B. Wheeler et al.

On consideration of the motion herein of counsel, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

985. Joseph Saunders, Sons
vs.
The United States.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, as well in support thereof as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

987. J. A. Nathaway & Co., Claimants of the Steamer "Minnie"
vs.
D. B. Wheeler et al.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition

Monday, May 8th, 1893. Continued

and the same is hereby denied.

Per Mr. Chief Justice Fuller.

192. The Steamship Ives, her Engines &c. Olaf J. Svenson, Claimant, et al., Appellants, vs. Gerhard Wessels et al. Appellees.

On petition for writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

193. Sybrens La Montagne, Petitioner, vs. Gerhard Wessels, et al.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

194. The American Water Works Company of Illinois, et al. Appellants, vs. The Farmers' Loan & Trust Company.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

195. Maddux S. Clarkson, Trustee of the American Water Works Company, Appellant, vs. The Farmers' Loan & Trust Company.

On consideration of the petition for a writ of Certiorari herein to the United States Circuit Court

Appeals for the Eighth Circuit and of the argument of counsel thereupon had, as well in support as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1156. James A. Reeve et al., vs. Cliff's in Error, Walter S. Cheesman and George H. Clayton. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had as well in support as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

1157. Henry C. Rowe, Receiver of the Missouri, Kansas & Texas Railway Company, vs. Cliff's in Error, John S. Kennedy. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of Counsel thereupon had, as well

in support of & against the same. It is now here ordered by the Court that said petition be and the same is hereby denied.

(Per Mr. Chief Justice Fuller)

705. Henry C. Rouse, Receiver &c. vs. Jeff. in Error. Robert N. Coughlin. Henry C. Rouse, Receiver &c. vs. Jeff. in Error. John E. Hennessy.

It is ordered by the Court that the motion to stay the issuance of the Mandates in these Cases be, and the same is hereby denied.

(Per Mr. Chief Justice Fuller)

Ex parte. In the matter of Thomas C. Fitzpatrick Petitioner

Reconsideration of the motion for leave to file a petition for a writ of mandamus herein. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

(Per Mr. Chief Justice Fuller)

10. Original. The State of Missouri, Complainant, vs. The State of [illegible]

Reconsideration of the stipulation of Counsel herein, It is now here ordered by the Court that the time to retrace and mark the boundary line between the States of Missouri and Iowa, in accordance with the decretal order heretofore entered, and to make a report thereof

is extended until July 1st next.

Per Mr. Chief Justice Fuller

1462. Comt Joseph Pelgrue, Plff in Error vs Wm Ewer Deft in Error

On consideration of the motion to tax certain costs herein on behalf of the plaintiff in error, it is ordered by the Court that said motion be and the same is hereby denied.

Per Mr Chief Justice Fuller

1914 Jeff Harrison, Plff in Error vs The United States

In Error to the District Court of the United States for the Northern District of Alabama

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby, remanded to the said District Court with instructions to set aside the verdict and grant a new trial.

Per Mr. Chief Justice Fuller

Monday, May 10th, 1886 Continued

197. The United States, Plaintiffs
vs.
Frank M. Rider, Chas. H. Seaquist, Coleman & Nicholas, Commissioners of Humboldt County, Nev.

On Certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of Nev.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Nev. and on the points of question on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that this certificate be, and the same is hereby, dismissed. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Chief Justice Waite

(Mr. Justice Brewer did not hear the argument and took no part in the decision of this case.)

265. George P. Webster and William A. Brady, Appellants, vs. Augustin Delg.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript

of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. Whereupon consideration whereof, It is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for the want of prosecution.

Per Mr. Chief Justice Fuller.

Mr. Justice Brewer and Mr. Justice Peckham did not hear the argument and took no part in the decision of this case.

William Perego,
Appellant
vs.
H. A. Dodge & P. Ferry, Jr.
Richardson, J. N. Jacobson, Martin McMack and Mrs. Martin McMack

Appeal from the Supreme Court of the Territory of Utah.

No. 27.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by Counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs. And that this cause be and the same is hereby remanded to the Supreme Court of the State of Utah.

Per Mr. Chief Justice Fuller.

Monday, May 6th, 1850. Present as before.

The United States, } In Error to the District
vs. } Court of the United States
Samuel Jarvis & William } for the Southern District
Joseph } of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of Counsel for the Plaintiff in error, and a stipulation of Counsel to dismiss the writ of error in this cause having been filed. Therefore, in pursuance of said stipulation, It is now ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed.

Per Mr. Chief Justice Taney.

Crawford Goldsby alias } In Error to the Circuit
Cherokee Bill } Court of the United
vs. } States for the Western
The United States } District of Arkansas.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrad, of Counsel for the defendant in error, and he having suggested to the Court that this cause has abated, owing to the death of the plaintiff in error. Therefore in pursuance of said suggestion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Taney.

770. The Southern Pacific Railroad Company et al., Appellants, vs. The United States. Mr. Solicitor General moved for, as counsel for the appellee, submitted to the consideration of the Court a motion to reassign this cause for argument.

917. Emma J. Gonzales, Appellant, vs. S. H. Friedenthal et al. Mr. Edward M. Dox, of counsel for the appellees submitted to the consideration of the Court a motion for leave to file a printed brief herein.

1019. The Press Publishing Company, Plff in Error, vs. Alexander McKenzie. The petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Charles N. Harris, in support of the same, and Mr. Joseph G. Deane, in opposition thereto.

Sur. The Steamer "Coquitlam" vs., The United States. Amos Howard, Finder &c., Plff in Error, vs. The State of Mississippi. On motion of Mr. Calderon Carlisle, of counsel for the appellant and plaintiffs in error, leave is granted

granted the Clerk to issue the mandates in these cases.

Ex parte: In the matter of Augustin S. Snider, (Petitioner.)

Mr. Charles S. Barber, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus [illegible].

709. Robert S. Reaves vs. Ryan, Sheriff, &c. James E. Kiernan.

Mr. Thomas [illegible], of counsel for the plaintiff in error and appellant, suggested a diminution of the record in this cause and moved the Court to award a writ of certiorari. Whereupon it is ordered by the Court that a writ of certiorari be and the same is hereby awarded as prayed.

Ex parte: In the matter of Thomas G. Shepperd, (Petitioner.)

Mr. Thomas G. Shepperd, pro prea persona, submitted to the consideration of the Court a motion for leave to file a petition for a writ of certiorari [illegible]

No. J. A. S. Iborg et al. vs. The United States. In Error.

This cause was submitted to the Consideration of the Court on the record and printed arguments by Mr. H. Hallett Phillips and Mr. H. H. Ker, of counsel for the plaintiffs in error, and Mr. Attorney General Harmon, Mr. Solicitor General Conrad, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, May 25th, 1896.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Edward D. White
Rufus W. Peckham

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Richard H. Whiting, it is ordered that Robert Grier Monroe, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he came thereupon accordingly.

On motion first made to the Court in this behalf by Mr. H. J. Newton it is ordered that Lien Spencer Mussey, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and she came thereupon accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Needham it is ordered that Albert B. Hall, Esquire of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. James A. Pierce it is ordered that Clarence A. Buckley, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. W. F. Allen it is ordered that Henry L. Taylor, Esquire of Sioux City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mary A. Black,
vs. In Error to the United States
920. Circuit Court of Appeals for
W. Jeff. Wise, Wm. the Ninth Circuit.
The Elkhorn Mining
Company, Limited.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judg-

Monday, May 25th, 1896, Continued

Appeals in this cause be, and the same is hereby affirmed with costs; And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Montana.

Per Mr. Justice Peckham.

The United States, Appellants,
vs. } In Error to the Circuit Court of the United States for the Eastern District of Louisiana.
Eq. Andrew N. Gay.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Peckham.

(Mr. Justice White did not sit in nor take part in the decision of this case.)

The United States, Appellants,
vs. } In Error to the Circuit Court of the United States for the Eastern District of Louisiana.
No. The Realty Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration

whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

(per Mr. Justice Peckham.)

(Mr. Justice White did not sit in nor take any part in the decision of this case.)

668. The Bank of Commerce et al. vs. Rhea in Error, The State of Tennessee for use of The City of Memphis et al.

The Bank of Commerce et al. vs. Rhea in Error, The State of Tennessee et al.

It is ordered by the Court that the mandates in these cases be and they are hereby recalled, and that the judgments entered herein by this Court on March 2d, 1896, be and they are hereby vacated and set aside.

(per Mr. Justice Peckham.)

668. The Bank of Commerce and James A. Enberg, vs. Rhea in Error, The State of Tennessee for the use of The City of Memphis.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by counsel. On consideration whereof it is now here ordered and

ment of the said Supreme Court in this cause so far as it permits a recovery against the holders of the old shares of stock in the bank be, and the same is hereby reversed and that the judgment so far as it permits a recovery for taxes assessed against the holders of the new shares in the bank be and the same is hereby affirmed, each party to pay their own costs in this Court. And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Woodbury

669. The Bank of Commerce and James N. Onberg, Plaintiffs in Error, vs. The State of Tennessee and The County of Shelby.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that so much of the judgment of the said Supreme Court in this cause as permits a recovery against the holders of the old shares of stock in the bank be and the same is hereby reversed, and that the judgment so far as it permits a recovery for taxes assessed against the

holders of the new shares in the bank be, and the same is hereby affirmed, each party to pay their own costs in this Court; and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Peckham

337. The United States, ex rel. Allen, Error, to Charles O. Allen. Writ of Error to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said United States Circuit Court of Appeals and the District Court of the United States for the Northern District of California be and the same are hereby, reversed; and that this cause be, and the same is hereby remanded to the said District Court with directions to enter judgment in favor of the United States with costs.

Per Mr. Justice White

Dissenting:
Mr. Justice Peckham

Monday May 25th, 1896. Continued

241. John A. Hard, Sheriff of the County of Linda, in the State of Wyoming. v. Race Horse. Appellant

On Appeal from the Circuit Court of the United States for the District of Wyoming.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wyoming, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the order of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to issue the writ and remand the prisoner to the custody of the Sheriff.

Per Mr Justice Field

Dissenting:
Mr Justice Brown

(Mr Justice Brewer not having heard the argument took no part in the decision of this case.)

39. Victor Meyer & Adolph Meyer, v. Walter D. Richardson. Plffs in Error.

In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of

Court for the Eastern District of Louisiana, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter judgment for plaintiffs for eight thousand three hundred and eighty-three dollars and seventy cents ($8,383.70), with interest and costs.

Per Mr. Justice White.

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130. Henry C. Nevins, Receiver of the Missouri, Kansas & Texas Railway Company, vs. Effie Dow, Adm'x of Lafayette Dow, deceased.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

P. M. Hardy

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs. And that this cause be and the same is hereby, remanded to the United States Circuit

Monday, May 25th, 1896. Continued

Indian Territory.

Per Mr. Justice

Joseph M. Brown,
vs. Appellant
Grace D. Hoggatt Executrix of
Stephen D. Hoggatt deceased, and
Henry Leeds Assignee in Bankruptcy
of Stephen D. Hoggatt

109. Appeal from the Supreme Court of the District of

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice

W. J. Faust,
vs. Plaintiff in Error
The United States.

37. In Error to the District Court of the United States for the Northern District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed.

Per Mr. Justice

Eli Lucas,
vs.
The United States

In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial.

Per Mr. Justice Shiras

George H. Jaques, Nathan Jaques, Archie Borland, and William D. Hopewell, partners as Jaques & Company,
vs.
George Lynch, William Lynch, and Thomas Lynch, partners as Lynch & Brothers

Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered,

of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear on the Courts of the State of New York.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Justice Field.

The United States of America and Clifford B. Ackerly Executor of William W. Merriam deceased, Plaintiffs in Error,
vs.
J. Henry Perkins County Treasurer of Dutchess County, New York.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by Counsel. Consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed.

(Per Mr. Justice Brown.)

Dissenting:
Mr. Justice Harlan.

The United States,
878. vs. } In Error
Asher P. Nick, Comptroller of the City and County of New York, and James B. Fry, William L. Hamilton and Geo. L. Gillespie, Executors of Geo. W. Cullum, deceased.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Brown.

Dissenting:
Mr. Justice Harlan.

The Union Pacific Railway Company,
vs. } In Error,
Granville J. Evans.

In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof it is ordered and adjudged by this Court, that the judgment of the said United States Circuit Court of Appeals in this cause be, and

the same is hereby affirmed with [illegible] and, that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Southern District of [illegible]

Per Mr. Justice Brown

Millard F. Ball, John C. Ball, & C. E. Bardwell
vs. Writ of Error
The United States

In Error to the Circuit Court of the United States for the Eastern District of [illegible]

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of [illegible] and argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court in this cause as to Millard F. Ball be and the same is hereby affirmed and the judgments as to the other defendants be and the same are hereby affirmed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to order the discharge of Millard [illegible]

Per Mr. Justice [illegible]

The Southern Pacific Company,
vs. Writ of Error
Beatrice Henderson

In Error to the Supreme Court of the Territory of [illegible]

251

This cause came on to be heard on the transcript of

to record from the Supreme Court of the Territory of Wyoming and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to cause the record to be so amended and that it be

(Per Mr. Justice Gray.

Emma J. Gonzales, Appellant, vs. E. H. French et al. 917. On consideration of the motion of counsel for the appellee for leave to file a brief herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

(Per Mr. Chief Justice Fuller.

The Southern Pacific Railroad Company et al, Appellants, vs. The United States. 770. On consideration of the motion to re-assign the cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

(Per Mr. Chief Justice Fuller.

Monday, May 25th, 1896. Present &c.

1012. The Press Publishing Company, vs. Jeffries Ives, Alexander McDonald. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel thereupon had, it is ordered that said petition be and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of A. L. Ambler, Petitioner. Ordered by the Court that leave be, and the same is hereby, granted to file a petition for a writ of mandamus herein, and the application therefor will be heard on the second Monday of the next term, on motion.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Thomas G. Shepherd, Petitioner. On consideration of the motion for leave to file a petition for a writ of certiorari herein, and the motion for leave to renew the motion for leave to file a petition for a writ of mandamus, it is now here

ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Fuller.

789. J. B. Evans et al., Appellants, vs. The United States et al.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Fuller.

173. The Missouri, Kansas & Texas Railway Company, Appellant, vs. J. B. Cook et al.

In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

James Huntington, Petitioner
for revision
vs.
William A. Stevens, Respondent

Appeal from the United States Circuit Court of Appeals for the First Circuit

128.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and on motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller

The Union Pacific Railway Company and The Omaha & Republican Valley Railway Co., Appellants
vs.
The Chicago, Rock Island & Pacific Railway Company

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit

157.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with

costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Shiras.
Mr. Justice Gray.

The Union Pacific Railway Company,
vs. Appellant,
The Chicago, Milwaukee & St. Paul Railway Company.

Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

155.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Nebraska.

Per Mr. Chief Justice Fuller.

Dissenting:
Mr. Justice Shiras.
Mr. Justice Gray.

41. The Union Pacific Railway Company, Appellant, vs. The Chicago, Rock Island & Pacific Railway Company, Appellee. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

42. The Union Pacific Railway Company, Appellant, vs. The Chicago, Milwaukee & St. Paul Railway Company, Appellee. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

No. 1. A. Nibong, Jr. P. Peterseen and Hans Johansen, Plaintiffs in Error, vs. The United States. In Error to the District Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause against the defendant Nibong be, and the same is hereby, affirmed; and as against the defendants Petersen and Johansen be and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to set aside the verdict and grant a new trial as to the said defendants Petersen and Johansen.

Per Mr. Chief Justice Fuller

Dissenting as to affirmance:

Mr. Justice Harlan

No. 1[illegible] Alexander Keen, Plaintiff in Error, vs. The United States.
No. 510. John Brown, Plaintiff in Error, vs. The United States.
No. 527. Henry [illegible], Plaintiff in Error, vs. The United States.
No. 529. Alexander Draper, Plaintiff in Error, vs. The United States.
No. 585. Charles Lang, Plaintiff in Error, vs. The United States.

On motion of Mr. Solicitor General for the defendant in error, It is ordered

Monday, May 28th, 1917. [illegible]

by the Court that these cases be, and they are hereby, returned and assigned for hearing on the second Monday of the next term after the cases heretofore assigned for that

The United States ex rel. Charles D. Long,
vs.
William Loehren, Commissioner of Pensions.

No. 791.

M. Solicitor General suggested the expediency of this cause by reason of the resignation of the defendant in error and moved the Court to dismiss this cause which was opposed by Mr. F. A. Richardson, of counsel for the plaintiff in error. Whereupon it is ordered by the Court that said motion be, and the same is hereby, continued until the next term with leave to counsel to file printed briefs.

Frank C. Ross
vs.
Edwin Eells & J. P. French, Appellants.

No. 1021.

Mr. Solicitor General, Counsel of counsel, for the appellees, having filed in open Court the following certificate, to wit:

"United States Circuit Court of Appeals
For the Ninth Circuit.

I, Frank D. Monckton, Clerk of the United States Circuit Court of Appeals for the Ninth Circuit, do hereby certify that in certain cause pend-

ing in said Court wherein Edwin Wells, J. T. Veach and D. A. Vincenter and H. P. Gordon were appellants and Frank C. Rose was appellee a final decree was rendered by said Circuit Court of Appeals on the 10th day of October A.D. 1895 in favor of said appellants and against said appellee, and that on the 1st day of November A.D. 1895, said appellee prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said United States Circuit Court of Appeals at San Francisco, this 5th day of March, A.D. 1896.

F. D. Monckton, Clerk."

moved the Court to docket and dismiss this cause pursuant to the 6th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered adjudged and decreed by this Court that the appeal from the United States Circuit Court of Appeals for the Ninth Circuit be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said United States Circuit Court of Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

John Cook and Susie Cook, his wife, Appellants, vs. Edwin Eells and G. A. Carpenter.

1022.

Mr. Solicitor General Conrad, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"United States Circuit Court of Appeals,
For the Ninth Circuit.

I, Frank D. Monckton, Clerk of the United States Circuit Court of Appeals for the Ninth Circuit, do hereby certify that in a certain cause pending in said Court wherein Edwin Eells and G. A. Carpenter were appellants and John Cook and Susie Cook, his wife, were appellees, a final decree was rendered by said Circuit Court of Appeals on the 10th day of October, A.D. 1894, in favor of said appellants and against the said appellees, and that on the 1st day of November, A.D. 1894, said appellees prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of the said United States Circuit Court of Appeals, at San Francisco, this 24th day of March, A.D. 1896.

F. D. Monckton, Clerk."

(Seal)

moved the Court to docket and dismiss this cause,

pursuant to the 6th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the United States Circuit Court of Appeals for the Ninth Circuit be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said United States Circuit Court of Appeals to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller.

The Singer Manufacturing Company,
vs. Appellant,
6. The June Manufacturing Co.

The Singer Manufacturing Co.,
vs. Appellant,
7. George P. Bent.

On motion of Mr. Holmes Conrad, in behalf of counsel for the appellant, It is ordered by the Court that the mandates in these cases be stayed until the next term, and that leave be, and the same is hereby, granted appellant to present a petition for re-hearing on or before the first day of the next term, as of this term.

And, on motion of Mr. William Henry Browne, of counsel for the appellee in No. 6, leave is also granted counsel for the appellees to present a petition for rehearing.

Joseph Raymond,
vs. Appellant,
John Lange.

On motion of Mr. Charles E. Barber, in behalf of Counsel, It is ordered by the Court that the time within which to file the transcript of the record herein be, and the same is hereby, extended to sixty days from this date.

Aldace F. Walker et al., Receivers &c.,
vs. Appellants,
1020. Wilson P. Keenan et al.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on a printed argument by Mr. A. W. Green and Mr. A. S. Robbins, in support of the same, with leave to Counsel to file brief in opposition thereto on or before the first Monday of the next term.

The United States,
vs. Appellant,
195. The Winchester & Potomac Railroad Company.

On motion of Mr. F. P. Clark, of Counsel for the appellee, It is ordered by the Court that the mandate in this cause be stayed until the next term and that leave be granted Counsel for the appellee to present a petition for re-hearing on or before the first day of the next term, as of this term.

954. George A. Barber, Plff in Error, vs. Henry P. Isaacs. In Error to the Supreme Court of the State of Washington.

This cause having been called to the attention of the Court by Mr. John A. Mitchell, of counsel for the plaintiff in error, and he having moved the Court to dismiss the writ of error in this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Order.

It is ordered that mandates issue in all cases decided at this term in which mandates have not already issued.

Per Mr. Chief Justice Fuller.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court, be, and the same are hereby, continued until the next term.

Per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned to the time and place appointed by law.